



NATIONAL ASSOCIATION OF POLITICAL
SCIENTISTS OF TAJIKISTAN

*Political Party Regulations
and Women's Participation
in Political Life in Tajikistan*



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**National Association Of
Political Scientists Of
Tajikistan**

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PREFACE

Strong, independent, and electorate-accountable political parties help ensure that societies obtain long-term stability and good governance. Political parties are able to work for and protect effective representation and participation through vibrant debate and competition. Representative democracy, as codified and defined in international standards, foresees the essential role of political parties in leading and promoting citizens to present their ideas, interests, and views to government. Indeed, this vision of political parties was essential to the commitments laid out twenty years ago when the Conference on Security and Cooperation in Europe (CSCE) adopted the *Charter of Paris for a New Europe* and the *Copenhagen Document on the Human Dimension of the CSCE*.

The Charter of Paris that was signed by the OSCE participating States in 1990 proclaimed that “democracy, with its representative and pluralist character, entails accountability to the Electorate,” affirming some of the essential functions of political parties. In the Copenhagen document, the participating States unanimously affirmed in Article 3 the “importance of pluralism with regard to political organizations” and committed themselves in Article 26 to “vigorous democracy...[with an] ... extensive range of democratic institutions.” The participating States further declared in the same Article that they would achieve this objective by sharing information and co-operating in “developing political parties and their role in pluralistic societies.”

On the basis of this legacy, the Democratization programme of the OSCE Office for Democratic Institutions and Human Rights (ODIHR) strongly emphasizes the importance of political parties as a key mechanism for fulfilling the entire set of commitments in the human dimension of security. Political parties are a collective platform for the expression of individual fundamental rights to freedom of association and expression, and they are the most widely utilized vehicle for political representation and participation. They also ensure that the electorate is informed, thereby

assisting governments to be more responsive and to reflect public needs in their policies and decision-making processes. To this end, democratic governance is reinforced by political parties that serve as a bridge between the executive and legislative branches of government. Legislation and regulations of political party activities should not interfere with freedom of association, and they must be protected as an integral embodiment of an individual's right to freely form public associations. However, given the unique and vital role of political parties in the political process, it is commonly accepted that states regulate their functioning insofar as it is necessary to ensure effective, representative, and fair democratic governance.

The approach to political party regulation varies greatly across the OSCE region: from states that lack any particular legislation on political parties (regulating such bodies only under general laws governing public associations) to the incorporation of provisions relating to the functions of parties in an array of different laws (including inter alia specific political party laws, constitutions, general election laws, and laws relating to issues such as media and party financing). Reforming legislation on political parties is not the only element of the general development of political parties and enhanced pluralism. Nevertheless, amending the legislative framework of political parties goes hand in hand with wider efforts to develop political parties and authentic multiparty systems.

ODIHR has been focusing on strengthening democratic processes throughout Central Asia, including Tajikistan in 2010 and 2011. ODIHR has recognized the fundamental relationship between political parties and the developing democratic institutions of Tajikistan. To achieve this, ODIHR funded a project to increase the analytical capacity of think tanks in Tajikistan on the issue of political party regulations. ODIHR further recognized that the targeted approach to addressing the challenges of enhancing political pluralism shall address the legislative and regulatory framework that shapes the activities of political parties in Tajikistan.

ODIHR decided to join forces with one specific think tank, the *National Association of Political Scientists of Tajikistan (NAPST)*, combining ODIHR resources, methodologies, and convening authority together with local expertise and analytical capacity. In its research and writing, NAPST used an ODIHR-developed analytical questionnaire that was formulated during the drafting process of the OSCE/ODIHR-Venice Commission *Guidelines on Political Party Regulation* of 2010. This questionnaire formed the basis for NAPST's analytical study of the Republic of Tajikistan's political party regulations and legislation.

In 2010, NAPST led a process of consultations and discussions with the leading Tajik experts on political dialogue in the 21st-century Tajikistan. In December 2010, a high-level seminar was held in Dushanbe, Tajikistan, involving leading civil society experts, activists, legal academics, parliamentarians, political party officials, and government ministers, as well as international donors and stakeholders, to discuss the draft of this Report. The seminar also featured opportunities for engagement with peers in past and parallel projects that took place in 2010 and 2011 in Moldova, Ukraine, and Azerbaijan, as well as peer reviews and expert commentaries coming from Russia. In this way, the participants at the Dushanbe seminar were able to discuss the deficiencies of the current Tajik political party regulations and to develop recommendations for potential reform.

The result is “*Political Party Regulations and Legislation and Women’s Participation in Political Life in Tajikistan.*” This report thoroughly analyses the particular problems and issues that are specific to Tajikistan’s regulatory framework for political parties. Looking forward, and based on the results of the consultations, it sets out the agenda for reform, based on international and OSCE standards and good practices, useful to Tajik legislators, policy makers, and advocates, as well as international partners and donors.

As will be clear from the report, this publication would not have been possible without the hard work and expertise of NAPST, its staff, and in particular Director, Dr. Abdughani Mamadazimov and the co-author and expert, Cand. Sc. Alla Kuvatova. Further thanks and acknowledgements go to ODIHR’s consultant and coordinator in Tajikistan, Ms. Farangis Azizova. The final Report would also not have been possible without the reviews and guidance of the following international experts: Dr. Sayfullo Safarov, Dr. Ashurboy Imomov, Mr. Yusuf Makhmedov, Mr. Denys Kovryzhenko, Dr. Alexander Kynev, and Dr. Leila Alieva. ODIHR would also like to acknowledge the valuable support and assistance of the OSCE Office in Tajikistan, particularly for its enduring commitment to enhancing Tajikistan’s political dialogue.

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Warsaw, October 2011

INTRODUCTION

The development of the multi-party system in Tajikistan started before the country became independent and acquired state sovereignty. It began with the repeal of Article 6 of the USSR Constitution on “The leading and guiding role of the Communist party of the USSR.” New political parties were thereafter developed, along with the continued activities of the Communist Party. The Democratic Party of Tajikistan (DPT) was then formed on August 10, 1990. A religious party, the Islamic Revival Party (IRP), was formed on October 27, 1991. Numerous civil society organizations of a political character were also formed at both the national (such as Rastohez) and local levels (Laali Badahshon, Oshkoro, and Vahdat).

The weak culture of political pluralism and national self-identification, which was aggravated by the conflict between the two main political parties that were both promoting supranational ideologies (Communism and Islamism), hindered the development of a multi-party system in Tajikistan. The political conflict contributed to the ensuing civil war and the banning of two prominent political parties, the DPT and the IRPT. Both parties were two of the most prominent supporters of the *United Tajik Opposition* (UTO), an alliance of several political parties and anti-government movements. The creation of the UTO and its armed forces impacted greatly on the social conscience of the country. The concept of “opposition” for ordinary Tajiks is still associated with the armed conflict.

During the civil war between 1992 and 1997, a new constitution was drafted, publicly discussed, and subsequently adopted (1994). The adoption of the new Constitution prevented the Tajik state from further fragmentation, introduced democratic values, and fostered centralization tendencies in the socio-political life of Tajikistan. The signing on June 27, 1997 of the General Agreement on Peace and National Reconciliation between the government and the UTO raised the ideological and political competition between political parties to a new level in Tajik politics – the level of parliamentary

competition. All political parties were subsequently required to renounce their arms and obtain state registration in order to be integrated into political and public life. The IRP and DPT, were re-registered with the Ministry of Justice, and their military groups were integrated into the armed forces of Tajikistan.

At the same time, the newly established Commission on National Reconciliation, which included, in equal proportions, representatives of the government and the former UTO, drafted a Concept Paper on Post-Conflict Reconstruction and Development of Tajikistan. It also drafted the general provisions of a new Law on Political Parties of the Republic of Tajikistan. During the drafting process, the question about whether to refuse the status of political parties to organizations with religious nature was the centre of debate. These discussions were slowing down the post-conflict development of the country, and a decision was reached that the 1998 Law on Political Parties would allow the activities of the IRP on an equal basis with the other, more secular political parties. Creating the legal basis for a religious political party became a precedent of co-existence and cooperation among different, and sometimes opposite, political parties in the post-Soviet region. Tajikistan is now the only country of the former USSR where an Islam-based (i.e. religious) political party legally operates and participates in the political process. On the whole, the process of developing a multi-party political system in Tajikistan has been largely influenced by the consequences of civil war, the reconciliation negotiations, and the absence of post-conflict development. These factors have also influenced the formation of the comprehensive legal system and the legislation on political life in particular.

For further evaluation of political parties and the regulation of party activities in Tajikistan, the establishment and activities of the Public Council of Tajikistan is both relevant and important. On 9 March 1996, the Agreement on Public Unity was signed by the President and the leader of the national parliament and the heads of 30 political parties, national and cultural associations, artistic and religious unions and organizations of civil society. On 9 April 1996, one month after the signing of the Agreement on Public Unity, when the number of public organizations, socio-political movements that signed the said document reached 50, the implementation mechanism was created, i.e. the Public Council of the Republic of Tajikistan. The framework for its activities was included in the "Rules of the Public Council of the Republic of Tajikistan." Thus, through the Agreement on Public Unity the idea of national reconciliation grew into an entire national movement. The organizations that signed the Agreement and participated in the activities of the Public Council included three political parties: the

Communist Party of Tajikistan (CPT), the National Party of Tajikistan (which became the National Democratic Party of Tajikistan in 1999) and the Almaty platform of the Democratic Party of Tajikistan (the other platform of the Democratic Party – the Tehran platform – was at that time a member of the United Tajik Opposition (UTO), and its leaders stayed in the capital of Iran).

The Public Council is a representative, expert, consultative, and coordination body, bringing together the participants of the Agreement on Public Unity and functioning in accordance with the Constitution and laws of the Republic of Tajikistan, international treaties recognized by the Republic of Tajikistan, the Agreement on Public Unity, and the Rules of the Public Council of the Republic of Tajikistan. From the beginning, the Public Council was involved in the process of negotiations. Prior to each new round of negotiations, the governmental delegation always met with the members of the Public Council or held meetings where the governmental position on the negotiations was again submitted to public scrutiny, and after each round of the negotiations, the delegation informed the Public Council about the results. For example, on 18 September 1996, at its ordinary meeting the Public Council examined and discussed the report by the Deputy Minister of Security, Mr. B. Abdulloev, “The results of the Ashkhabad round of the Tajik negotiations and practical measures of their implementation.” The participants also approved the draft “General Principles of Public Unity in Tajikistan” proposed by an initiative group, and decided to create a working group to prepare the final document. That draft was published in national newspapers for public discussion.

On 23 June 1997 (four days before the signature of the General Agreement on Peace and National Reconciliation), the Public Council adopted the “General Principles of Public Unity in Tajikistan.” The consolidation of social forces and their claims for national unity and peace undoubtedly fostered the process of achieving peace and stability in Tajik society. During the first years of post-conflict reconstruction, the members of the Public Council became actively involved in discussions of various normative documents aimed at fostering the peace-building process. Hence, the Public Council actively participated in the adoption of the following laws: Political parties of the Republic of Tajikistan; Civil society organizations of the Republic of Tajikistan; Elections to the Majlisi Oli (Parliament) of the Republic of Tajikistan; Elections of the President of the Republic of Tajikistan; amendments to the Constitution of the Republic of Tajikistan, the Tax Code, and other legislative acts.

On 11 March 1999, on the day of the third anniversary of the Agreement on Public Unity, President Emomali Rahmon presented to the Public Council the report titled, "The Implementation of the Agreement on Public Unity." At the same meeting, the working group suggested prolonging the validity of the Agreement for three additional years. The proposal was supported by the other members of the Council, including the President of Tajikistan. As a result, the temporary consultative body, created to foster peace and unity, was not abolished, but became the useful platform for social partnership between the public authorities and civil society, for consolidation of civil society organizations, and development of the interparty cooperation. On 4 June 1999, following the proposals put forward by the political party leaders and public and political movements, members of the Public Council established a permanent club called "Political Cooperation." The topic of the first roundtable organized by the club was "Political Parties and Movements and Political Processes in the Republic of Tajikistan." During the roundtable discussions, the leaders of the National Democratic Party, the Communist Party, the party "Adolathoh" (no longer in existence), the Socialist Party, the Movement of National Unity and Revival, the Congress of National Unity (no longer in existence), and the National Movement of Tajikistan (Tchunbish) (no longer in existence) expressed their opinions on various aspects of social partnership in the country.

On 1 September 2000, the Political Cooperation Club organized another roundtable on the topic "Political Parties and Current Problems of State Sovereignty," which brought together political party leaders, government representatives, and political scientists. Inclusion in the Public Council of representatives of the political parties who were the members of the former United Tajik Opposition (UTO), the Democratic Party of Tajikistan (DPT) (in February 2001), and the Islamic Revival Party of Tajikistan (IRPT) (in March 2002), contributed to the public image of this civil forum and transformed it into a platform for partnership between the authorities and society. On 9 March 2001, the roundtable titled "Five Years of the Agreement on Public Unity: Problems and Perspectives" was held. In his speech, President Rahmon addressed the results of the five years of the Council's activities and the plans for the future.

A number of members of the Public Council also dealt with the problems of strengthening social partnership and interparty cooperation. Since 1999, the National Association of Political Scientists of Tajikistan (NAPST) has been conducting analytical and research activities on such topics as "Political Parties and Political Movements of Tajikistan", "Civil Society", the "Political Debate Club" that aimed to foster the formation of civil society

in general and the development of the multiparty system and interparty cooperation in particular.

On 11 March 2002, during the regular meeting of the Public Council, the President as chair delivered a speech on the “Process of Implementation of the Agreement on Public Unity and its Perspectives.” The members of the Public Council proposed a new version of the Agreement to reflect the new level of development of Tajik society. The new text of the Agreement on Public Unity was signed by the leaders of more than 70 well-known civil society organizations, including all the political parties of Tajikistan registered by the Ministry of Justice. The validity of the new Agreement on Public Unity was not subject to any time limitations. Over six years of work, the Public Council operated in accordance with the principles of the Agreement on Public Unity and obtained high authority and recognition in Tajik society and among international organizations present in Tajikistan. For example, this was illustrated by the speech delivered on 21 October 2002 by UN Secretary General Kofi Annan who addressed the members of the Public Council within the framework of his official visit to Tajikistan. On 16 December 2005, the president of the Majlisi Milli (the upper chamber of the Tajik Parliament), Mahmadsaid Ubaidullaev, addressed the Public Council with a speech titled, “The Democratization Process in the Republic of Tajikistan.” On 17 February 2006, the president of the Majlisi Namoyandagon (the lower chamber of the Tajik Parliament), Sadullo Hayrulloev, addressed the Public Council with the speech, “The Development of Parliamentarism during the Years of Independence of Tajikistan.”

However, the results of the past parliamentary elections (February 2010) have seriously influenced the activities of the Public Council. The IRPT, dissatisfied with the outcome of the elections, withdrew from the Council, and the DPT has also suspended its membership. Those circumstances have had a negative impact on the Council’s activities, which were already slower in the most recent years. In this situation, independent mass media are becoming an important platform for the free exchange of opinions between different social and political forces in the country. It is possible that the evaluation of political parties provided by Dr. Karomatullo Olimov in his 2006 analysis may now require re-evaluation. At the time, he wrote: “there is good cooperation between the political parties, associations and public organizations within the framework of the Public Council of the Republic of Tajikistan.”¹ At the same time, it is true that as Dr. Olimov also mentioned,

¹ Political Parties of the Republic of Tajikistan. *Хизбҳои сиёсии Ҷумҳурии Тоҷикистон*. – OSCE, Dushanbe. 2006, p. 139, p. 19.

it is particularly important to promote “cooperation of state government bodies with political parties and non-governmental organizations.”²

Currently, the Tajik Parliament (the *Majlisi Oli*) consists of two chambers: the Lower Chamber, the *Majlisi Namoyandagon*, and the Upper Chamber, the *Majlisi Milli*. Parliamentary elections are conducted under a mixed electoral system. The Lower Chamber of Parliament has 63 deputies, 22 of whom are elected under a proportional closed-list system within a single nationwide constituency and the remaining 41 deputies are elected in single mandate constituencies under a majoritarian system, with a 5% electoral threshold. The Upper Chamber of Parliament has 33 members, 25 are elected indirectly and 8 are appointed directly by the President, with seats reserved for all former Presidents.

The President of Tajikistan, currently Emomali Rahmon, was first elected on 6 November 1994. The President is directly elected in a two-round system and serves a seven year term. To win outright in the first round a Presidential candidate must receive more than 50% of the votes cast in the election. Presidents are limited to serving two terms in office, however, because of a constitutional amendment in 2003, Rahmon’s re-election in 2006 counts as his first term, so in principle he can stand and be re-elected President in the 2013 elections. Currently, there are eight political parties officially registered in Tajikistan, and following the 2010 Parliamentary elections there are five represented in the *Majlisi Namoyandagon*. The largest party is the People’s Democratic Party of Tajikistan (PDPT) with 45 deputies, followed by the IRP, the Communist Party, the Agrarian Party, and the Party of Economic Reforms, all represented with 2 deputies each. A non-party group of 10 deputies was formed, consisting mostly of MPs who, while they were not PDPT members, had been elected with PDPT support. The remaining three parties; the Social Democratic Party (SDPT), the Democratic Party of Tajikistan, and the Socialist Party currently have no representation in the *Majlisi Namoyandagon*. The general expert analysis has been that “the existing political forces in Tajikistan are based not on political identities but on regionalism.”³ Tajikistan’s political parties, including the opposition, are Dushanbe-centered and have limited capacity to operate outside the capital.

² Ibid.

³ IFES, Political Parties of the Republic of Tajikistan: An Overview, 2000, available at: <http://www.ifes.org/Content/Publications/Reports/2002/Political-Parties-in-Tajikistan-Facts-Figures-and-Analysis-Final-Draft.aspx>

Past studies have been completed on the perceptions of Tajikistan's citizens of political parties and participation in multiparty democracy. For example, in 2009 and 2010, the *International Foundation for Electoral Systems* (IFES) released its survey of public opinion on socio-political issues in Tajikistan. Although 37% of the people surveyed thought that political parties were important for democracy, there was a large percentage that also saw the parties as unnecessary for democracy.⁴ It is the work of NGOs like the *National Association of Political Scientists of Tajikistan* as well as international assistance organizations such as the Organization for Security and Cooperation in Europe (OSCE) to help improve the ability of political parties to effectively represent the citizens of Tajikistan and bring critical social and economic issues to public debate. This report on Political Party Regulations and Legislation in Tajikistan consists of two parts. PART 1 addresses the technical aspects of political parties operating in Tajikistan concentrating on four specific topics. It addresses the legal framework in which Tajik political parties are governed, the internal structure of political parties, and their role as public organizations, as well as how parties select and support candidates during elections, and the nature of political party financing. PART 2 looks specifically at issues of gender equality in political representation and participation. The report concludes with a range of recommendations for promoting the role of political parties in Tajik political life.

⁴ Public Opinion in Tajikistan 2010, Findings from an IFES Survey, *IFES*, February 5, 2010, results available at: <http://www.ifes.org/Content/Publications/Survey/2010/Public-Opinion-in-Tajikistan-2010.aspx>

PART 1.

**THE REGULATION OF POLITICAL
PARTY ACTIVITIES IN TAJIKISTAN**

Chapter 1.

The Legal Framework

“Social life develops on the basis of political and ideological pluralism. No state ideology or religion may be established. Social associations are formed and operate within the framework of the Constitution and laws. The state provides them with equal possibilities in their operations.” (Article 8, Constitution of the Republic of Tajikistan)

The legal framework of Tajikistan regulates many aspects of political party activities. It includes first and foremost the Constitution, the Law on Political Parties, and the Law on Elections to the Majlisi Oli. Other laws, in one way or another, also cover activities of political parties, e.g. subsidiary laws on the Ministry of Justice, on the Supreme Court, and on the Prosecutor’s Office. A range of codes (the Tax Code and the Code of Administrative Offences) and regulations (the Regulations of the Central Commission on Elections and Referenda) also directly concern different aspects of political party functions in Tajikistan.

The Law on Political Parties, which was adopted during the first years of post-conflict reconstruction of the country (1998), has never been amended. Before its adoption, the activities of political parties were regulated by the Law on Public Associations (1991). The process of adopting the Law on Political Parties was slow and significantly hindered by the fact that the members of parliament did not fully realize the changes in the political landscape, attempting to continue a one-sided communist-oriented policy and not wishing to legally recognize a political party of religious (Islamist) character that had recently dissolved its armed forces.

The *Shuroi Oli* (former parliament/the Supreme Council – 1990–1992) was dominated by representatives of the CPT (10 members), warlords (more than 10 members), and the opponents of the IRPT. Acute debates on the possibility to introduce into the new law a clause legitimizing the activities

of a political party of religious character could put at risk peace and post-conflict reconstruction of the country. There were long debates and efforts in the parliament, and difficult negotiations took place with the country's political leadership on the Commission on National Reconciliation. Finally, it was decided to integrate the former opposition into the social and political life of the country, allowing Tajikistan's political parties to reach a consensus. As a result, the first political party of a religious (Islamic) character in the post-soviet area (IRPT) started its activities and continues to be active politically today.

The 1998 Law on Political Parties is the only law in Tajikistan that was adopted through intense discussions between the authorities and the opposition in the first years of the country's post-conflict recovery. Therefore, the law reflects consensus in spirit and to some extent fundamentally promotes multi-party democracy.

The Legal Definition of a Political Party

Article 2 of the 1998 Law on Political Parties defines a political party as “a public association having for the main purpose participation in political life of the society through formation of citizens' political will, as well as exercising power through its members.” This is the only definition of a political party included in the laws of Tajikistan. To compare, the OSCE/ODIHR-Venice Commission Guidelines on Political Party Regulation in paragraph 9 define a political party as a “free association of persons, one of the aims of which is to participate in the management of public affairs, including through the presentation of candidates to free and democratic elections.”⁵

The legal status of political parties differs from other public associations, because the latter may not participate in the political life of the country, including elections. The majority of civil society organizations in Tajikistan are mostly active in the social, environmental, gender, and other spheres. They often evade the issues directly concerning politics. Furthermore, Tajik laws do not create any legal regime for the political activities of public associations other than political parties. Only a few exceptions exist to this rule, such as the right of the Youth Union of Tajikistan (affiliated with the

⁵ Guidelines on Political Party Regulation, OSCE/ODIHR-Venice Commission, Adopted by the Venice Commission at its 84th Plenary Session, (Venice, 15 – 16 October 2010), available at: [http://www.venice.coe.int/docs/2010/CDL-AD\(2010\)024-e.asp](http://www.venice.coe.int/docs/2010/CDL-AD(2010)024-e.asp)

State Committee for Youth, Sport and Tourism) and trade unions to nominate candidates in presidential elections. Political parties, the Federation of Independent Trade Unions, the Youth Union, local representatives of the government, and the meetings of Majlis deputies in regions and cities that are part of the country's districts of republican subordination that do actually nominate candidates for the presidency, have to notify local election commissions about their proxies at least ten days before the elections (as stated in Presidential Election Law of 28.12.2005, No. 140).

Regionalism in Tajikistan

Tajikistan is a unitary state and does not permit regional political parties. During the past twenty years of democratic development, there has never been any attempt to create a full regional political party in Tajikistan. For example, one of the most popular socio-political movements in the years following the Civil War, the association *Laali Badakhshon*, from the Gorno-Badakhshon Autonomous Oblast (GBAO region) of Tajikistan, never became an official political party. On the contrary, this association disappeared from the political horizon during the post-conflict reconstruction period due to the prohibition of regional political parties. On the other hand, there are strong regional preferences in political party activities with the majority of party functions taking place in the capital city Dushanbe.

Official Recognition and Registration

The Ministry of Justice of Tajikistan is the state body officially responsible for maintaining the national register of political parties (it has the same responsibility with regard to other civil society organizations). The official registration of a political party with the Ministry of Justice is the only condition for political party activities in all cities and districts of the country. According to Article 6 of the Law on Political Parties, the documents that a political party must submit to the Ministry include, *inter alia*, a list of not less than 1000 citizens, who are members of the political party, and their places of residence. According to Article 3 of the Law on Political Parties, the majority of cities and districts of Tajikistan must be represented on the list of supporting citizens.

Other requirements concerning organizational rules that parties are obliged to follow include:

- Not later than three months from the day of state registration of a political party, primary subdivisions and branches of the party should be created in a majority of regions, cities, and districts of the country, and
- The Organizational Committee established to create a political party shall publish information about the place (city and district), the date of the constituent congress of the political party, as well as the main provisions of its Statutes, not later than one month prior to the date of convocation of the constituent congress (conference, assembly);

The official registration enables political parties to conduct their activities as legal entities, participate in financial operations, and develop general partnerships within and outside the country. A well-known example of international partnerships is the party partnership between the two ruling parties of neighboring countries: the People's Democratic Party of Tajikistan and the Communist Party of China. At the same time, however, economic and political assistance from foreign countries (article 20) is not permitted. All other political parties have no close contacts or cooperation with foreign parties.

A political party may own property, buildings, housing facilities, equipment, printing houses, monetary funds, and other assets necessary to conduct activities as envisaged under the laws of Tajikistan. The property of a political party may be used only to implement the objectives and attain the goals that are specified in the party statute. On a yearly basis, political parties publish reports on their financial situation in their party newspaper or in other national newspapers, such as *Asia Plus*, *Nigoh*, and *Minbary Halq*. These reports should include information about the balance sheet and the assets of the party, including for the purposes of parliamentary elections and taxes. The Ministry of Justice has the authority to take decisions about the registration or cancellation of the registration of a political party.

Restrictions on party activities

According to Article 4 of the Law on Political Parties, in Tajikistan it is prohibited to create parties with objectives or actions aimed at the violent overthrow of the constitutional order, organization of armed groups, or propaganda of local, regional, or religious interests. The second paragraph of the same article states that "political parties and their members shall not use religious organizations in their political activities." This Article was a political compromise that helped solve an acute conflict between the

government and the IRPT during the period of post-conflict reconstruction, and widened the legal area for activities of a political party of a religious character. At the same time, however, the mosque that used to exist at the IRPT headquarters was shut down in 2010 pursuant to Article 4 of the Political Party Law (stipulating that political parties and their members have no right to use religious organizations in their political activities). The mosque was closed because it was allegedly used not only for praying but also for the informal sharing of opinions about different social, political, and economic issues.

Other substantial restrictions on political parties include economic and political assistance from foreign countries (article 20). Therefore, the political parties, with some exceptions for the ruling one, have no close financial contacts or cooperation with their counterparts abroad. For example, the Socialist Party is not a member of the Socintern (Socialist International), and the Communist Party cannot openly discuss its contacts with the international Communist movement. The law neither limits nor defines the term “political assistance,” and therefore any participation in an international congress or another forum may be interpreted as obtaining such assistance.

Loss or Denial of Registration

According to the laws of Tajikistan, a political party may be denied state registration if:

- Provisions of the statutes of a political party contradict the Constitution of Tajikistan, the Law on Political Parties, or other legislation of Tajikistan;
- The statutes of the political party do not meet the requirements of Article 6 of the Political Parties Law;
- The requirements of art.3 § 2 and art.7 § 5 are not fulfilled. Political parties shall be created by citizens of the Republic of Tajikistan freely, without any permissions from a founding congress (conference, convention) that approves the regulations and sets up governing bodies of the party (article 3 § 2). Changes and additions to the political party regulations shall be subject to state registration by the same body that registered the party itself, and within the same term (article 7 § 5);
- The statute of another political party using the same name or the same symbols had already been registered in Tajikistan; or
- The address (location) of a governing body of the political party is not on the territory of the Republic of Tajikistan. (Article 9 of the Law on Political Parties)

If the Ministry of Justice decides to deny state registration to a political party, the applicant party is notified in writing to that effect. The decision of denial of state registration should be justified, and may be appealed in a court of law.

Dispute Resolution

Solving internal party disputes or conflicts among several political parties at the court level is one of the most controversial issues for party development. According to the relevant discussions and opinions of focus groups, a relative majority of party leaders and representatives agree that the country's judicial authority is not fully independent from the executive branch (in particular, judges are often influenced by the President, as the latter participates in the process of their appointment). As a result, few disputes over issues concerning political parties are tried in the national courts. The few appeals of political parties that have reached the courts primarily concerned election problems. However, as mentioned in the OSCE-ODIHR Final Report on Parliamentary Elections in Tajikistan:⁶

“the complaints and appeals process, primarily regulated by the election law, civil procedure code, and administrative offences code, generally lacks sufficient clarity and guarantees of due process. Courts and election commissions have overlapping jurisdiction for consideration of complaints against decisions of election commissions, with the Supreme Court as the final arbiter in all cases. In this context, there is a lack of clarity about the respective mandates of the courts and electoral bodies.”

All judges at the city, district, or province level are appointed by the President of the country. According to the law (Article 5), judges may not be members of political parties, yet the fact that they are appointed by the head of the executive power and the ruling party leader essentially influences their judicial decisions. There are numerous cases when parties have complained about the interference of local authority representatives that in the absolute majority of cases are also members of the ruling party.

⁶ OSCE/ODIHR, “Election Observation Mission Final Report-Republic of Tajikistan Parliamentary Elections, 28 February 2010,” Warsaw, 6 July 2010, p. 21.

The Role of Private Persons

Private persons cannot initiate the cancellation of a political party's registration. Over the last years a number of political parties, such as the DPT (the Democratic Party of Tajikistan) and the SPT, have been *de facto* split into two party "wings," each fighting for their party's leadership. As a result, internal divisions have led to the leaders of these wings appealing to the Ministry of Justice for recognition and registration as the only legitimate governing body of the party. The disputes in both parties were resolved by the decision of the Ministry of Justice to officially recognize the legitimacy of Mr. Sobirov's wing in the DPT and Mr. Gafforov's wing in the SPT. However, both decisions are still being appealed by their political opponents, with Mr. Rahmatullo Valiev representing the "wing of Mr. Iskandarov" in the DPT and Mr. Mirhusein Nazriev representing his own wing in the SPT. According to Article 9 of the Political Parties Law (Grounds for Refusing Political Party Registration), two parties may not be registered under the same name (in case regulations of another party with the same name or symbol was registered earlier). Therefore, the second wing of the DPT could not also be registered with the Ministry of Justice, and the leaders and representatives of this wing (faction) did not attempt to register under a different name. The OSCE/ODIHR-Venice Commission Guidelines on Political Party Regulation in paragraph 115 include the provision that "in the case of party mergers, splinters or the expression of new platforms, party members should be allowed the freedom to continue or cease their membership activity as they see fit (§ 115)."

Party Equality

Although the *de jure* legal status of all eight political parties in Tajikistan is equal, and the existing legal framework does not create any hierarchy among the political parties, *de facto* there are certain elements of "duplication" among a number of political parties (the Socialist Party and the Democratic Party) and the problem that some parties do not have sufficient administrative, staff, financial and logistical resources. The law provides for the legal protection of political party activities, and political parties are entitled legally to file applications in courts of law. Political parties and other civil society organizations in Tajikistan have equal rights and opportunities to judicial protection.

Re-registration

Of all the political parties, only the IRPT and the DPT have been re-registered since the development of multi-party politics, both after the signing of the General Agreement on Peace and National Reconciliation in June 1997, which put an end to the civil war. The Supreme Court ordered that re-registration of both parties was required on the condition that they integrated their military forces into the military structure of the state and reformed their internal party frameworks to be in line with state guidelines on political parties.

Recognition of Parties in Accordance with Parliamentary Rules

According to the Law on the Majlisi Oli, a political party with at least five deputies in the lower chamber of the national parliament has the right to create a faction in the parliament. Following the last parliamentary elections of 28 February 2010, five political parties have deputies representing them in the lower chamber, although, only the PDPT has created a faction. The four other political parties (Communist, Islamic Revival, Agrarian, and Economic Development) have only two representatives each and therefore cannot form a parliamentary faction. The benefit of forming a faction for a political party is only on a political level. Tajikistan does not yet have a special law about the parliamentary activities and rights of political parties as factions in the parliament.

Nevertheless, the deputies of the Majlisi Namoyandagon have the right to form factions and groups in order to jointly express their political views and realize their pre-election programs and aims. A deputy may be a member of only one group or faction. Deputy factions and groups are not, however, in the structure of the Majlisi Namoyandagon. The deputies may freely enter and leave these factions and groups during their term in office, and they are not bound by decisions made by their factions or groups. The parties should notify in writing the Commission on Guidelines and Organization of Work and deputies of Majlisi Namoyandagon about the establishment, composition, and goal of factions or groups. Deputy factions and groups enjoy equal rights.

The registration of parliamentary factions and groups is performed by the Secretariat of the Majlisi Namoyandagon on the basis of the report submitted by the Central Commission of Elections and Referenda. It is based on the results of the elections from the single all-republican electoral constituency and written applications from deputies that were elected from single-mandate

districts expressing their wish to join the relevant faction or group, or have submitted written notification regarding the establishment of a faction or group with an accompanying list of members. Currently, the new Majlisi Namoyandagon has one faction of the PDPT (45 members) and one Non-Party deputy group (10 members). The members of the Non-Party deputy group are mostly representatives of law-enforcement government agencies (prosecutors, judges, etc.) and were nominated by the PDPT. The remaining political parties have insufficient members to establish factions or groups.

Development of the Parliament

The activities of the Tajik parliament, which had become permanent only in 2000 (before 2000, there was only a sessional parliament) are largely dominated by the ruling party (PDPT). The leaders of the Parliament of both chambers of the Majlisi Oli are members of the ruling party. Although the former speaker of the lower chamber (the Majlisi Namoyandagon), Mr. S. Hajrulloev formally was non-partisan (although this fact is unknown to the majority of the Tajik population who believe that Mr. Hajrulloev is an active member of the PDPT), he actively implemented the policy of the executive and was *de facto* influenced by the ruling party.

The internal rules of the Tajik parliament do not include any clauses regarding interparty relations within the parliament. The absolute dominance of the PDPT does not allow for the development of interparty and inter-faction communication in parliament. The views and opinions of the leadership of other parties and representatives become widely known to Tajik society not through parliamentary public relations services but mostly through independent media.

Procedural Difficulties in Amending the Law on Elections

In 2008, a Working Group was set up as an IFES⁷ initiative that included leaders (or high-ranking representatives) from all eight political parties, the CCER, the Center for Strategic Studies under the Office of the President, and the National Association of Political Scientists of Tajikistan (NAPST). The

⁷ IFES, the International Foundation for Electoral Systems, is a U.S.-based non-governmental organization that works on election assistance and democracy promotion. IFES projects aim to enhance citizen participation and strengthen civil society, governance, and transparency. See: <http://www.ifes.org/>

group's goal was to draft amendments to the existing Law on Elections. All political parties agreed that the Working Group would approve its decision by consensus. Yet after the work was completed and the amendments to the law were ready to be submitted to the Majlisi Namoyandagon, the representatives of the People's Democratic Party did not sign the working document. The fact that the document was not signed by the representatives of the majority party seriously decreased the chances for the document to be considered by the parliament. Though the document was proposed by the Communist Party leader to the Council of the Majlisi Namoyandagon, it stood no chance for consideration, because the Communist Party had only three seats, and even together with two deputies from the IRPT, who also participated in the drafting of these amendments, they could not override the other 48 deputies that included the PDPT members and supporting nonpartisans.

Chapter 2.

Political Parties as Organizations

The 1998 Law on Political Parties does not regulate the organization or structure of political parties (only one article of this Law is dedicated to the organization or structure of political parties), therefore, the party structure is defined exclusively by the statute of each political party. There is also no central register of voters in Tajikistan, although pursuant to the available reports from the CCER and based on recent elections information, there are currently 3,641,778 voters.⁸

Membership in Political Parties

Article 5 of the Law on Political Parties provides for only voluntary membership in political parties. This is consistent with the international human rights principle according to which association with and within political parties must be voluntary. “Membership should be an expression of an individual’s free choice to utilize the collective means of a political party for the full enjoyment of their individual right to expression and opinion.”⁹ Article 20 of the Universal Declaration of Human Rights also states that (1) Everyone has the right to freedom of peaceful assembly and association; and (2) No one may be compelled to belong to an association.”¹⁰

⁸ See for example: OSCE/ODIHR, “Election Observation Mission Final Report-Republic of Tajikistan Parliamentary Elections, 28 February 2010,” Warsaw, 6 July 2010, p. 20–21.

⁹ OSCE/ODIHR-Venice Commission, Guidelines on Political Party Regulation, para. 114.

¹⁰ The complete Declaration can be accessed here: <http://www.un.org/en/documents/udhr/>; The International Covenant on Civil and Political Rights also includes in Article 22 the right to freedom of association with others. Available at: <http://www2.ohchr.org/english/law/ccpr.htm>

The rights and obligations of party members in Tajikistan are also specified in more detail in the statutes of the parties. The Political Parties Law only allows for fixed individual membership in political parties. Membership can only be acquired by citizens of Tajikistan, who are at least 18 years of age. Foreign citizens and stateless persons cannot be members of political parties; and judges, prosecutors, military servicemen, and staff of governmental and other state bodies also cannot be members of political parties as well.

Party Statute Provisions

The statutes of all Tajik political parties envisage a number of other requirements for party membership, including the payment of membership fees (from 1% to 3% of monthly salaries) and the possibility of applying penalties (exclusion from the party) to those members, who do not pay the fixed membership fee. Below is a selection from some of the statutes of political parties on the issue of membership (as included in the OSCE 2006 reference manual on the statutes of the Political Parties of the Republic of Tajikistan)¹¹:

The People's Democratic Party:

Any citizen of Tajikistan having reached the age of 18 who recognizes the Statute and Program of the party may become a member.

The Communist Party:

A party member may be a citizen of the Republic of Tajikistan having reached the age of 18, regardless of his/her social status, ethnicity and religion, who recognizes the Program and the Statute of the party, works in one of its primary local organizations, implements decisions of the party bodies, and pays the membership fee.

The Islamic Revival Party:

Any Muslim citizen of Tajikistan having reached the age of 18 may be a member of the party.

The Democratic Party of Tajikistan:

Any citizen of Tajikistan having reached the age of 18, regardless of his/her gender, race, ethnicity and religion, has the right to become a member of

¹¹ Political Parties of the Republic of Tajikistan. *Хизбҳои сиёсии Ҷумҳурии Тоҷикистон*. – OSCE, Dushanbe. 2006.

the DPT provided he/she recognizes the Statute of the party, offers material support, and takes measures for implementation of the party's program.

The Social-Democratic Party:

A member of the SDPT may be any citizen of the Republic of Tajikistan, having reached the age of 18, who consciously supports the SDPT Program and complies with the SDPT Statute, being a member of one of the party organizations and paying the membership fee.

The Socialist Party:

A member of the SPT may be a citizen of the Republic of Tajikistan who has reached the age of 18, recognizes the SPT Program and Statute, and works in (participates in the activities of) one of the party organizations to assist the implementation of SPT decisions, and pays the SPT membership fee as required by the party.

The above review of the statutes of the six political parties shows that the IRPT, contrary to the other parties, has a membership restriction on the basis of religion, while in all other respects all the statutes are almost identical.

Different Types of Party Membership

There is a specific type of membership in some political parties that is referred to as the affiliated membership. Political party affiliation procedures also have their specific features and requirements. The CPT Statute has the most thorough description of the typical affiliation procedure:

- "a) the applicant to the party shall produce references from two party members who have a record of party membership for at least five years and have known the applicant for a minimum of one year from their joint professional work or public work;
- b) the referees shall be personally responsible for the applicants before the party;
- c) party affiliation shall be discussed and decided by general meeting of the primary party organization. Decisions shall be deemed adopted if voted for by the majority of the party members registered with the party organizations, and shall come in force only upon approval by the party district committee or by the party city committee in towns where there is no division into districts. If there is no party organization in the area of residence or work, a person shall be admitted to the party by a bureau of the party district or city committee;

- d) the affiliation applicant to the Communist Party of Tajikistan shall be given a trial period of up to one year. A member of the Lenin Communist Youth Union (LCYU) shall be admitted to the party without a trial period if he/she is a member of the LCYU for at least a year and has a reference from the LCYU district committee that is equal to a reference from one party member.”¹²

The affiliation and membership procedures of the CPT are very strict, because every applicant must receive two recommendation letters from party members and a trial period of one year. First, young people can join the youth union of the party and second, become members of the party. Currently, the other political parties no longer apply this Communist Party tradition of giving the affiliation applicant a certain intermediate trial term (one year) as a membership candidate before becoming a full member of the party.

An IRPT affiliation applicant (recognizing and respecting the values of the Islamic religion and the national culture) is also admitted to the party with references from two party members, upon nomination of a primary party subdivision and with the support of the presidium of this party subdivision. The statutes of other political parties, however, do not require references from party members for affiliation with the party.

The DPT statute sets out the following requirement: “A DTP affiliation applicant shall write an application addressed to the chairman of the primary or local organization, and shall be deemed affiliated, if supported by the majority of the organization members at the organization’s meeting.”

According to the statute of the People’s Democratic Party of Tajikistan, a person shall be admitted as a full member to the Party upon personal application supported by the majority of members at a meeting of the primary party organization and shall be officially recognized upon approval of the primary party organization’s decision by the city or district Executive Committee of the party’. Admission to the SDP is also ‘based on a personal application to the meeting of a primary party subdivision’. The decision is deemed adopted if voted for by a majority of members attending the meeting of this subdivision.

¹² Political Parties of the Republic of Tajikistan. *Хизбҳои сиёсии Ҷумҳурии Тоҷикистон*. – OSCE, Dushanbe. 2006, p. 216.

The Rights of Members of Political Parties

The statutes of political parties provide for the right of its members “to elect and to be elected” primarily to the governing bodies of the party, and also to different representative government bodies (for example, local self-government bodies, the local Majlisi, or national parliament). The statutes also ensure the right for active participation in internal party activities. There is no practice of double (or more) membership in political parties in Tajikistan. The statutes of all political parties contain provisions prohibiting affiliation of their members with other political parties.

Organizational Structure

After regional branches of the party have been created, it is only necessary, according to the law, to notify local state bodies (executive bodies of districts and cities) to that effect. In Tajikistan, political parties have a four-level structure. Branches can exist at the national level (*markazi* or republican), regional level (*viloyati*), district (*nohijavi*), city (*shahri*), and local (*mahalla*) (primary party subdivisions in organizations and enterprises) levels. The organizational structure of political parties in Tajikistan is based either on industrial and territorial divisions (PDPT and CPT) or administrative-territorial divisions (DPT, IRPT, and SDPT).

Basic party units

The PDPT statute says: “According to the legislation of the Republic of Tajikistan, basic party organizations as the basis of the People’s Democratic Party of Tajikistan shall be established in the areas of work or residence of the party members and shall be officially registered with the city or district executive committees.” Consideration should be also given to the fact that the Political Parties Law requires no official registration of regional subdivisions of political parties at the city/district level, but only written notification to the local executive bodies. Basic subdivisions of all political parties are established locally, where there are at least 3 party members (or at least 5 party members for PDPT). The general meeting (or party meeting according to the CPT Statute) is the supreme body of the basic units or subdivisions of a party. As a rule, the general meeting is held at least every 3 months (once a quarter). According to the CPT statute, for example, “The basis of the party is basic units that are set up at the places of work or residence of Communists and are united according to the territory or constituencies for elections to representative bodies.”

District party units

The higher-level intermediate body is a city/district body of the political party. The PDPT statute, for example, says: 'City/district party units that unite local basic party units manage their activities and provide for the registration of party members, arrange for events to implement the party's decisions among enterprise employees and citizens in places of residence and to nominate party members to the local Majlis of the people's deputies, representative bodies, and legislative bodies of the Republic.'¹⁵ This description of the political party activities at the city/district level is also true for the activities of all political parties in the country and is supported by party documents and the decisions of party congresses.

The Party Conference is the supreme body of the district, city, and province party organizations (units). The conference is convened at least once a year (DPT, SDPT), once in two years (IRPT), or once in five years (PDPT, CPT). In addition to district/city and province (oblast) units, the statutes of the SDPT and SPT also envisage regional organizations that may cover all these units. The supreme body of regional units is a conference held at least once in two years (SDPT) or once in five years (SPT). Statutes of all political parties provide for extraordinary (interim) conferences whenever necessary.

Party Congresses

The supreme managing body of all political parties in Tajikistan is the party congress convened at least once in four years (IRPT, SDPT) or once in five years (PDPT, CPT, DPT, APT, PERT, and SPT). The Party Congress usually hears reports and a presentation of the Central Committee and the Control and Audit Committee or other bodies and persons elected by the Congress, adopts resolutions, and gives evaluations of their work. The Congress also adopts the Program and Statute of the party, making amendments thereto, and identifies the strategy for party development, ideological activity, and also the party's internal and external policy and tactics regarding these issues. The Congress further determines the disposition of property and termination of party activities.

The Statutes of political parties also include similar lists of powers of the political party's supreme body (congress) as well as other issues of the party functioning. For example, most of the parties (PDPT, IRPT, DPT, SPT, and others) have included in the powers list nomination of candidates for presidential and parliamentary elections (to Majlisi Namoyandagon).

¹⁵ Political Parties of the Republic of Tajikistan. *Хизбҳои сиёсии Ҷумҳурии Тоҷикистон*. – OSCE, Dushanbe. 2006, p. 139, p. 67.

Statutes of all political parties include a provision enabling the political party to convene an extraordinary party congress if necessary. For the period between congresses, the political party elects a supreme (governing) executive body (PDPT Central Executive Committee, CPT Central Committee, IRPT Supreme Presidium, DPT Central Boards, SDPT Political Council, SPT Central Executive Committee, etc).

According to the PDPT statute, the Central Executive Committee (CEC) shall fulfill the following functions:

- elect the CEC Presidium and Deputy Chairperson upon suggestion of the Party Chairperson;
- implement the policy of the party developed by the Congress;
- coordinate the work of the party subdivisions, identify directions of the party's cooperation with other parties and public associations;
- conduct specific work to implement decisions of the Party Congress and conferences;
- in compliance with the Party Statute, organize activities within the party, ensure all kinds of support to local subdivisions, and define registration terms for party members and party subdivisions;
- ensure the development and coordination of the election platform and nomination of the party candidates;
- coordinate activities of the PDPT parliamentary faction with the party strategy;
- establish party publications;
- convene party Congresses; and
- establish party committees, commissions and respective work groups.'

According to the charters of political parties, only the supreme party body – the Congress – may amend the charter. Changes and amendments to the current party charter or additional regulations are usually initiated by political party leaders or their governing bodies. Yet the acting law stipulates that all amendments to political party charters should be registered with the Ministry of Justice.

The above list of functions, obligations, and powers is more or less typical for supreme governing bodies of other political parties in the country. Yet the difference is in the distribution or redistribution of powers between the Chairman and the supreme governing body that depends on the internal party situation and established party traditions. A typical (widespread) list of the Party Chairman's powers is included in the SDPT Statute, according to which the Chairman shall: a) provide overall governance of SDPT representing it in the country and abroad; b) identify issues to be proposed for consideration to the SDPT Political Council, convene and

chair its meetings; c) distribute responsibilities between his deputies and members of the SDPT Political Council; d) hire and dismiss staff of the SDPT executive bodies, sign documents and undertake obligations on behalf of SDPT; e) fulfill other functions in compliance with the Statute.

A careful analysis of the statutes of different political parties in Tajikistan reveals more similarities than discrepancies in approaches to overall party structure, including the supreme and governing bodies. An analysis of powers of political party supreme (audit) bodies in their statutes revealed 'wide' interpretations of the powers in the CPT statute. The CPT statute reads: 'The Control and Audit Commission of the parties shall be guided in its activities by the CPT Statute, and the Regulations approved by the Congress shall provide control over the communists' compliance with the party discipline, implementation of decisions of the party's guiding bodies, audit fulfillment of the party budget and economic activities of institutions and structural subdivisions of the party'.¹⁴ Other parties have primarily limited powers of control/audit commissions to control the financial and economic activities of the party.

Internal Democracy and Factions in Parties

Political parties play a critical role in strengthening a state's democracy. Due to their importance for pluralism, accountability, and representation of citizens' interests, some OSCE participating States have established requirements pertaining to the democracy of internal party procedures. In Tajikistan, however, the regulations of political parties do not include a democratic requirement, for example a limitation on the terms of party leadership by 4 or 5 years. Therefore, the public perception of political parties in Tajikistan is increasingly personality-based, such as 'Emomali Rahmon and his party' (PDPT), 'Shabdolov's party' (CPT), or 'Zoirov's party' (SDPT). Only the SDPT charter stresses that the "SDPT chairperson shall be a candidate who gains more than half votes of the party delegates attending the congress," whereas the regulations of other parties require only direct election of the leadership. It is therefore noteworthy that the regulations of all political parties fail to define democratic procedures for changing party leadership. Nevertheless, the activities of political parties in Tajikistan are public, and all party members should be timely informed about the decisions taken by governing bodies.

¹⁴ Ibid., p. 141.

As regards the issue of internal party rules, the requirements for party statutes, as envisaged in the Law on Political Parties, include several principles that promote internal democracy. In particular, according to Article 6, the statutes should provide for, inter alia:

- the equality of rights among party members;
- the procedure for elections and competence of governing bodies of a political party, their term of office and location;
- the transparency of all party's activities; and
- electiveness and accountability.

The last requirement about '*electiveness and accountability*' is intended to further democratize political party activities, as it allows all party governing bodies to be accountable to their party members for the period of time of their term, for which they were elected.

Solving internal party disputes through judicial procedure is quite rare in Tajikistan. During over 20 years of political parties development in Tajikistan there were only few judicial proceedings concerning the legitimacy of activities of political parties, internal party life, and the political parties' relations with state authorities. The existing Political Parties Law does not contain any requirements to establish internal control mechanisms or solve internal party disputes.

Party leaders are elected at the highest decision-making level – at a Party Congress, which is usually convened every four or five years. The candidates nominated from among party members in city (or district) branches of a political party are elected by a simple majority of cast votes. Following the current practice the newly elected party leader usually suggests that the second candidate having obtained more votes than the others be appointed (or elected) his first deputy. In the IRPT, there is also a tradition to elect the most respected party member (one of the party founders), i.e. the *spiritual leader* of the party (this was the case for Ustod Said Abdullo Nuri before 2006 and Muhhamadsharif Himmatzoda (2010). However, this is a specific tradition inside the IRP and not an indicator of internal democracy, which shows merely the political and religious culture of both the party and society in general.

Internal party acts are adopted at congresses, plenums, conferences and meetings of political parties. Internal party rules fix the number of votes that should be cast for an act to be adopted: The figure varies from majority to $\frac{2}{3}$ of the overall number of votes.

The Democratic Party is the only political party in Tajikistan that allows for factions. The DPT Statute reads: 'In case a group of party members has its own opinion regarding interpretation and implementation of some Program provisions that do not coincide with the general party approach, they shall have the right to set up a faction. The faction shall be registered with the Central Board. Faction members shall formulate their views as a separate platform. The faction shall have the right to: express its views in party publications; offer alternative documents to the DPT Central Board; make statements; propose alternative documents for consideration to party meetings, conferences and congresses; and unless creating obstacles for implementation of the party decisions, have the right for criticism and expression of its own opinion. A faction shall be established provided that its platform is supported by at least 10 % of the party members'.

Restrictions on Party Activities

The Republic of Tajikistan prohibits the establishment of political parties with goals and activities targeted at the propaganda of parochial interests, national, social or religious enmity. Political parties in Tajikistan are not allowed to have military or paramilitary groups, and they also may not create structural units in the armed forces or law enforcement bodies of the country. Military servicemen and law enforcement officers (prosecutors, policemen, and state security, tax, customs and judiciary officers) may not be members of political parties.

As mentioned above, the existing Law on Political Parties contains a number of provisions that require transparency and public disclosure of a party's activities. First, at least one month prior to the founding congress, the initiative group establishing a political party should announce through mass media the place and date of the congress as well as major provisions of the party's statutes and founding documents. Second, in order to be registered, the party has to submit a list of more than a thousand members or supporters living in most cities and regions of the country. In order to be registered, the party must also submit a list of ten participants of the founding congress with their passport data and places of residence. Apart from the statutes, an extract from the minutes of the founding congress should be submitted. The responsible Ministry of Justice officials are usually invited to the party congresses to personally observe the activities. Political parties also notify respective local authorities in writing about their established regional structure (committees in provinces, districts and cities).

Political parties annually report to the Ministry of Justice about their activities during the year and specify the total number of party members. Parties also disseminate information about different aspects of their political activities in a party newspaper, magazine, or website, including reports on participation in different events in the country. Many issues related to internal control that are not reflected in political party charters are detailed in other provisions of law. Most political parties also welcome the practice of deputy party leaders (or other members of supreme party bodies) supervising different areas of activities or different regions. They visit regions to personally inspect the situation in local party branches, including new membership, awareness-raising about the party's objectives and programs, party events, cooperation with other parties, etc. After they return to the capital, they report in detail about the visits to conferences or regular meetings of the party's supreme body.

Chapter 3.

Political Parties in Elections

The Republic of Tajikistan is one of the countries which has not yet adopted an electoral code; it has not fully harmonized its electoral system with international standards and requirements for free and fair elections. Nevertheless, “a country’s choice of electoral system should be respected as long as it upholds a minimum standard for democratic elections.”¹⁵ Regardless, Tajikistan still faces a situation where there are five separate laws that regulate the electoral process:

- The Law on Referenda;
- The Law on Presidential Elections;
- The Law on Elections to the Majlisi Oli (the Tajik parliament);
- The Law on Elections to Local Majlises; and
- The Law on Local Self-Government that includes a chapter on elections to *Jamoats*.

Each of these laws creates a separate legal framework and is autonomous. For example, on the day of the last national elections, 28 February 2010, three election laws were being applied at the same time (elections to the Majlisi Oli, to local majlises at the city/district and regional levels, and to self-government bodies). The Central Commission for Elections and Referenda (CCER), as an independent authority responsible for organizing the country’s elections, had the right to organize only the elections for the national parliament. Other local elections were organized by the local executive authorities, which is not in accordance with the principle of division of powers between the executive and the legislative branches of government.

¹⁵ OSCE/ODIHR-Venice Commission, Guidelines on Political Party Regulation, paragraph 122.

The mixed electoral system established in Tajikistan, enables Tajik citizens to be nominated to national or local legislatures on the basis of party lists, or as independent candidates through collection of voters' signatures. One of the recommendations of this report is that Tajikistan should develop a common or unified electoral code because of the numerous separate laws currently in existence. However, the CCER holds the position that there is no need to develop such an electoral code because the current laws on elections correspond sufficiently to international standards. Moreover, according to the CCER, there is no single standard internationally on the development of a unified electoral code.

Registration of Candidates and the Form of Voting Card

Any political party, in order to be allowed to participate in elections, must have been registered for at least one year before the date the elections are announced.

Thus, there are three alternative ways for an individual candidate to run for elections:

- to be placed on the single national (Republic of Tajikistan) party list of candidates to the Majlisi Oli (up to 22 candidates);
- to be nominated at the regional, city or district conference of a political party; or
- to be nominated on the basis of the necessary number of signatures.

At the national level, candidates are elected in a single nation-wide constituency and only on party lists (each including a maximum 22 candidates). Political parties get a number of seats proportionate to the election outcomes in their constituency. For example, if Party A receives 50% of the votes, eleven candidates of the party can enter the Parliament.

As the second alternative, candidates should be nominated at the pre-election district/city conference of their party. As a rule, the data received from several conferences are merged, because the number of cities/districts (68 administrative districts) does not coincide with the number of single-mandate constituencies. If this is the case, several districts and city party units that are located within one constituency for elections to the Majlisi Oli (or, more precisely, to the Majlisi Namoyandagon, which is the lower chamber of the Parliament) convene a united party conference to nominate a candidate from the election district. One example is Rasht constituency number 12, which covers Jirgatal, Tajikabad, Rasht, Tavildara districts, and a part of the Nurabad district.

The third nomination alternative to the Majlisi Namoyandagon is self-nomination of a candidate (either a party member or an independent). The candidate shall submit his application for running in parliamentary elections to the District Election Commission, and should collect at least 500 supporting signatures from voters in this district.

Party leaders and representatives can use different combinations of the three nomination alternatives. For example, party leaders top their party lists in the single nationwide constituency and simultaneously collect supporting signatures in the area of residence, work, or place of birth. In this case, the party leader may be elected to the parliament from the single-mandate constituency, while his place on the party list (in the single nationwide constituency) would then be occupied by the next candidate on the list, who would also get a chance to be elected: in this way the party would actually increase the number of its representatives in the Parliament.

Another way to increase chances for getting more party members to the Parliament is by nominating a party member at a pre-election party conference and another party member through supporting signatures (by self-nomination). This approach increases chances for getting a party candidate to the Parliament, because coordinated actions between two candidates could actually take away votes from a potential rival acting on his own.

Political parties can also nominate people who are not party members. For instance, during the latest parliamentary elections, the IRPT nominated a famous children's book writer Mukhibullo Kurbon as its candidate from single-mandate district No. 20 (Isfara).

Voting Cards

The names of the parties on the voting card are indicated in alphabetical order, and thus any possibility of discrimination is excluded. As regards voting cards in single-mandate constituencies, the way of each candidate's nomination is placed next to his name. According to law, there are two methods of nomination: city (or district) party conferences or self-nomination by collecting signatures. On these voting cards the names of the candidates are also indicated in alphabetical order. An individual candidate is usually nominated in only one constituency, depending on the candidate's place of residence (or place of birth). He/she is nominated by a political party that may be supported by local (regional) units of other parties in the region.

According to the current law on elections, “the nomination of candidates to the Majlisi Namoyandagon from single-mandate constituencies shall start 60 days before the elections, and the nomination according to party candidate lists shall start on the date the elections are appointed and shall finish 45 days before the elections.”¹⁶ After the lapse of this term the candidate’s name may no longer be added to the list of candidates on the voting card.

Party lists for voting are closed, because they are previously validated at the highest party assembly (congress), which also fixes the order of election of individual candidates on a party list. Out of all political parties aiming to submit to the Central Commission for Elections and Referenda complete lists including the maximum number of candidates (22 – corresponding to the number of parliamentary mandates in the single nation-wide constituency), only the ruling PDPT regularly includes 22 candidates on its list. On the contrary, the other parties face difficulties in this practice because of the high electoral deposit. Sometimes, they cannot nominate even half of the allowed number of candidates.

Participation of Parties and Candidates in Electoral Campaigns

The existing CCER Regulations on activities of political parties in election campaigns deal with procedural and financial issues that concern ballot access for political parties. The current legal framework in Tajikistan provides in particular that a political party may start campaigning only after its list of candidates is validated by the CCER. Other regulations concern electoral deposits and are discussed in detail in this report. Some political party lists include two or three times less candidates than allowed by law. Limitations concerning contributions to political parties from individuals and legal entities also influence the campaign activities of political parties. There is also a cap on permissible funding, i.e. the upper limit of financial contributions from individuals or legal entities to candidates or political parties for campaigning. According to the OSCE/ODIHR-Venice Commission Guidelines on Political Party Regulation, the requirements for ballot access for political parties usually, and can justifiably, include one or more of the following: payment of a monetary deposit (refundable if a party receives a predetermined percentage of votes); the demonstration of a minimum

¹⁶ The Constitutional Law of the Republic of Tajikistan, “On Elections to the Majlisi Oli of the Republic of Tajikistan,” (Adopted on December 10, 1999 and amended on June 16, 2004), Article 31.

level of support, as indicated by the collection of voters' signatures; or the attainment of a mandate or a minimum percentage of votes in the previous election (§142).

Election Observers

According to the laws of the Republic of Tajikistan, specifically the Law on Elections to the Majlisi Milli, national observers are allowed to participate on elections day. According to Article 8 of this law, "Political Parties nominating candidates, have the right to appoint national observers who will observe the elections in the special voting rooms." The law therefore does not specifically prohibit national observers from any particular institution or organization. Thus, political parties and candidates do have the right to nominate national observers. Moreover, for this reason, the CCER does not see any reason to amend the laws of Tajikistan to provide more guarantees that national observers be appointed from specific organizations. At the same time, however, the current legal framework does not specifically promote NGO representatives as independent observers during elections. Like in many other countries, Tajik NGOs are not specifically allowed to be national (local) observers in elections.

Before the last parliamentary elections, the "Coalition of NGOs for Fair Elections!" (more than 15 NGOs), established a working Group to amend the national laws to allow for the possibility of local (domestic) elections observers. With respect to Tajikistan's own commitments on the issue of election observers, the Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE (1990) includes in § 8 the following commitment:

"The participating States consider that the presence of observers, both foreign and domestic, can enhance the electoral process for States in which elections are taking place. They therefore invite observers from any other CSCE participating States and any appropriate private institutions and organizations who may wish to do so to observe the course of their national election proceedings, to the extent permitted by law. They will also endeavour to facilitate similar access for election proceedings held below the national level. Such observers will undertake not to interfere in the electoral proceedings."

Rules on Mass Media Access

As evaluated in the OSCE/ODIHR Needs Assessment Mission Report for the Parliamentary Elections in February 2010, “overall, the media environment in Tajikistan is controlled by the authorities,”¹⁷ while the OSCE-ODIHR/Venice Commission Guidelines on Political Party Regulation includes the provision in paragraph 148 that “legislation regarding access of parties and candidates to public media should be non-discriminatory and provide for equal treatment.” Tajikistan’s legislation and the CCER regulations have in principle fixed rules regarding access to mass media, including the possibility of provision of free or paid time to political parties, their candidates, and self-nominated candidates. According to the Law on Elections to the Majlisi Oli, in Article 39,¹⁸ equal access to mass media is guaranteed to all candidates and political parties. Pursuant to this law, election campaigning may be done by means of:

- mass media outlets;
- mass events (assemblies and meetings with citizens, organization of debates and discussions);
- issuance and distribution of campaign publications;
- other means as established by law.

According to the law, up to 15 minutes of airtime on TV and radio shall be provided to every candidate from a single-mandate constituency, and up to 30 minutes of airtime shall be provided to every political party.¹⁹ In recent years, however, the local authorities and election commissions conduct voter meetings with candidates, thus interfering with the campaigning instead of offering practical support.

With reference to the part of the ODIHR Final Report discussing the regulatory framework for mass media (Warsaw, July 6 2010, pp. 19–20), ‘Based on a CCER decision, each registered party and candidate was entitled to use free airtime on *Tojikiston* TV, Radio *Tojikiston*, and their local branches. In addition, each registered party and candidate was entitled to free A4 pages in state-funded national or local newspapers. OSCE/ODIHR EOM media monitoring showed that state-funded media, broadcast and print, adhered to these legal requirements, although free airtime on *Tojikiston* TV

¹⁷ OSCE/ODIHR, “Needs Assessment Mission Report-Republic of Tajikistan Parliamentary Elections, February 2010,” Warsaw, 4 December 2009, p. 2.

¹⁸ The Constitutional Law of the Republic of Tajikistan, “On Elections to the Majlisi Oli of the Republic of Tajikistan,” (Adopted on December 10, 1999 and amended on June 16, 2004).

¹⁹ See Article 39, ‘Elections Law.’

was available to political parties only from 18 February onwards, i.e. only 8 days prior to Election Day. While all parties utilized their free airtime on Tojikiston TV, only the IRPT took up this opportunity on Radio Tojikiston. In a positive development, Tojikiston TV on 26 February aired a pre-recorded debate with participation of all registered parties.

The law includes a wide range of electoral campaign limitations, for example:

“during campaigns, it shall not be allowed to use methods of psychological, physical and religious coercion, abuse of the freedom of mass media, propaganda provoking social, racial and ethnic hatred and enmity, calls to seizure of power, forcible change of the constitutional order and violation of the national integrity, propaganda of war and other forms of mass media abuse prohibited by the laws of Tajikistan.”

The current law also prohibits the use of ‘black PR’ in election campaigns, such as the dissemination and publication of information discrediting the honor, dignity, or business reputation of candidates in the mass media. Such legal provisions may “contradict the constitutional guarantee of freedom of expression which is essential for unrestricted election campaign speech and media coverage of elections.”²⁰ According to local analysts specializing on electoral issues, during the 2010 parliamentary elections, important steps were taken to ensure the transparency and openness of elections.

In particular, the following positive factors relating to the participation of political parties in elections should be emphasized:

- it was the first time when the young people, who were born after Tajikistan gained its national sovereignty, participated in and made a significant contribution to the parliamentary elections.
- it was the first time when some NGO representatives, particularly women-led NGOs, actively ran in the elections to the Majlisi.
- candidates and political parties as well as their representatives (proxies) had somewhat better access to mass media as compared to the last elections (2005).
- national observers from political parties and self-nominated candidates were more active in the elections. The 2010 ODIHR Final Report reads with regard to national observers: “The election law stipulates that political parties and self-nominated candidates have the right to appoint election observers. Each political party and self-nominated candidate

²⁰ OSCE/ODIHR, “Election Observation Mission Final Report-Republic of Tajikistan Parliamentary Elections, 28 February 2010,” Warsaw, 6 July 2010, p. 16.

may appoint one observer to each PEC... Also, more than 24,000 national observers from political parties and self-nominated candidates observed the elections.”²¹ This could mean that a minimum of eight people were observers at each of the 3,067 polling stations.

- all eight political parties ran in the parliamentary elections. (The SPT and DPT boycotted the previous election.)
- the country’s political leadership demonstrated its intention to ensure the transparency and openness of the elections. In his annual Address to the Majlisi Namoyandagon on April 15 2009, the President of Tajikistan promised to ensure transparent and free parliamentary elections in 2010.

General Remarks

The national experts identified the following negative factors in the latest parliamentary elections:

- The absence of a single Election Code has interfered with the transparency of election commissions at all levels. On Election Day, three separate laws were applied to the elections. The Central Election Commission administered only the national parliamentary elections, whereas local elections were administered by local executive authorities and lacked fairness and transparency. Citing the OSCE/ODIHR Final Report, ‘The concurrent conduct of local elections with the parliamentary led to confusion as to which DEC the PECs should deliver their results protocols for the parliamentary elections’ (page 30).
- Public organization representatives had neither the concrete right nor possibility to observe the elections (see section above on election observers).
- Precinct election commissions consisted of members nominated by heads of municipalities and districts, without participation of political parties, which also interfered with political pluralism at the lowest level of election administration. On this point, the CCER generally responds that according to Article 16 of the law of Tajikistan on ‘Elections to the Majlisi Oli, the district elections commissions are nominated by the regional elections commission in the single-mandate elections districts not later than 45 days before the elections and they should consist of not less than 5 and not more than 19 people, including the chair, deputy chair, and the secretary of the commission. Local authorities cannot nominate members of the district elections commission and they do not have the right to form such commissions. This right under the law,

²¹ Ibid., p. 20–21.

although positive, does not necessarily guarantee that the commissions are free from influence or are pluralistic.

- The relatively high electoral deposit prevented many citizens from implementing their right 'to be elected'. This right was also limited by the legal requirement for candidates to have higher education. On this point, the general argument of the CCER has been that requiring a higher education is a constitutional norm of Tajikistan and that this practice is sufficiently widespread in the legislation of many countries. The basis for their position is that Article 49 of the Constitution says that "any citizen of the Republic of Tajikistan not younger than 25 years old and having higher education can be elected as a deputy of the Majlisi Namoyandagon." The law also says that "any citizen of the Republic of Tajikistan not younger than 35 years old and having higher education can be elected or nominated for the Majlisi Milli." The CCER takes the position that the Majlisi Namoyandagon is a professional working Parliament, the key activity of which is preparation and adoption of laws which should conform to the Constitution and international standards. For this reason, higher education has been forwarded as an obligatory condition for election of a citizen to the Majlisi Namoyandagon. At the same time, a deputy has the power to initiate and advance legislation, and for this reason, a person without a higher education cannot take part in the adoption or debate on laws as a national representative in the legislative branch. This position of the CCER unfortunately does not take into account the vast numbers of citizens who may be qualified and motivated to serve but who have not attained a higher education. Moreover, provisions requiring higher education specifically discriminate against underprivileged people, such as women.
- The tabulation of the election results also provoked intense discussion about fairness and openness between election administrators and election participants. According to Article 46 of the law on 'Elections to the Majlisi Oli,' the tabulation of votes should take place in specially equipped rooms so that the members of elections commission have access. All the activities of the commission members should be open and transparent for people observing and others.

Representatives of Minorities in Political Parties

The existing laws in Tajikistan do not include the concept of ‘minority.’ The most populous minority in Tajikistan are Uzbeks at around 15.3 percent.²² The voting lists of political parties traditionally include representatives of ethnic minorities. For example, several ethnic minority representatives entered the Majlisi Oli in the first session (2000): Sergei Michailovich Pavlenko (PDPT), a Russian, deputy chairman of the Energy, Industry, Construction and Communications Committee of the Majlisi Namoyandagon of the National Parliament (Majlisi Oli) of Tajikistan, and Zulfia Anvarovna Uzokova (PDPT), an Uzbek, member of the Constitutional Legality, Legislation and Human Rights Committee.

The upper chamber of the 2000 Parliament, the Majlisi Milli, included the following ethnic minority representatives: Abdukadir Ermatov, an Uzbek, Deputy Chairman of the Economy and Communication Committee of the Majlisi Milli; Idris Shojonov, a Kyrgyz, member of the Committee for Majlisi Milli Activities Coordination with the Majlisi Namoyandagon, the Executive Power, Public Associations, Media and Inter-Parliamentary Contacts; Nina Pavlovna Kravchenko, a Russian, member of the Majlisi Milli Committee on Social Issues, Health, Science, Education, Culture and Policy among Youth and Women in the Society; Khamidullo Sheralievich Alisherov, an Uzbek, member of the Committee for Majlisi Milli Activities Coordination with the Majlisi Namoyandagon, the Executive Power, Public Associations, Media and Inter-Parliamentary Contacts; and Eshburi *Eshonkulov*, an Uzbek, member of the Committee for Majlisi Milli Activities Coordination with the Majlisi Namoyandagon, the Executive Power, Public Associations, Media and Inter-Parliamentary Contacts.

The second convocation of the Majlisi Oli (2005) also included representatives of ethnic minorities, including Zukhrakan Davlatalieva, a Kyrgyz, ex-Chairperson of the Jirgatal District, MP of the Majlisi Namoyandagon; and Mairambek Toychiev, a Kyrgyz, Chairman of the Murgab District, MP of the Majlisi Milli of the Parliament.

The most recent Majlisi Oli (2010) also includes two ethnic Uzbek minority representatives, including Eshburi Eshonkulov, an Uzbek, member of the Committee for Majlisi Namoyandagon, member of the PDPT, and Maqsuda Samatova, an Uzbek, member of the Committee for Majlisi Namoyandagon,

²² CIA World Factbook: Tajikistan, data from the 2000 census, available at: <https://www.cia.gov/library/publications/the-world-factbook/geos/ti.html>

member of the PDPT. In the 2010 Majlisi Milli, there are the following ethnic minority representatives: Tirkash Qaraboev, an Uzbek, Chairman of agro firm, member of Committee of Majlisi Milli of the Majlisi Oli; and Jamilja Kenjequlova, a Kyrgyz, Chairman of the Murgab Jamoat. Referring to this upper house of Parliament (34 people), 25 of its members are elected by the local Majlis on a regional basis, while the remaining one-fourth of the members are nominated by the President; Tirkash Qaraboev and Jamilja Kenjequlova were in this way appointed by the President. This way, there are two national minorities' representatives in the upper house of the parliament. Moreover, each former president of the Republic of Tajikistan is a member of the Majlisi Milli for life, unless he declines to accept this right.

The election candidate lists of the other political parties also included ethnic minority representatives, yet similar to all representatives of these political parties, they failed to enter the National Parliament due to the low percentage of votes received. In order for political parties to be effective actors in Tajikistan's democracy, the regulations of political parties should require internal party functions to be democratic and representative in nature. Political parties must also be able to contribute to the expression of citizens' political opinions. The OSCE/ODIHR-Venice Commission Guidelines on Political Party Regulation state in paragraph 106 that it is a good practice that "political parties should voluntarily endeavor to ensure the presentation of issues relevant to national minorities in party programs." Furthermore, according to paragraph 138, measures can also be taken to aid in providing minority representation that can "often include practices such as the reservation of a set number of parliamentary seats for specific minorities."

Chapter 4.

Funding of Political Parties

The issue of political party funding is the most difficult element of political party research in Tajikistan because there is insufficient information readily available, and political party representatives avoid speaking openly on the issue of financing. In interviews, they have stressed the role of membership fees for the financial development of parties, despite the importance of understanding all funding processes for Tajikistan's development of multi-party democracy. According to Article 12 § 6 of the Election Law, the CCER is responsible for creating equal campaign conditions for all candidates, and based on international standards, such as the United Nations Convention against Corruption (UNCAC), it is expected that States will take the appropriate measures "to enhance transparency in the funding of candidatures for elected public office, and where applicable, the funding of political parties."²⁵ At the same time, as the OSCE/ODIHR-Venice Commission's Guidelines on Political Party Regulation have elaborated in paragraph 159:

"Political parties need appropriate funding to fulfill their core functions, both during and between election periods. The regulation of political party funding is essential to guarantee parties independence from undue influence created by donors, to ensure parties the opportunity to compete in accordance with the principle of equal opportunity, and to provide for transparency in political financing. Funding political parties through private contributions is also a form of political participation. Thus, legislation should attempt to achieve a balance between encouraging moderate contributions and limiting unduly large contributions."

²⁵ United Nations Convention against Corruption, UNGA 55/61,4 December 2000, Article 7 (3).

Although there are different forms and procedures of political party funding in global practice (including systems that depend on votes received and direct public funding), these practices have not in fact been systematized and made transparent through clear legislation in Tajikistan. Currently, there is no systematic or coherent approach to the provision or regulation of political finance and campaign funding in Tajikistan. The basis in law in Tajikistan for the regulation of political finance is the Elections Law and the Law on Political Parties, but the regulation, oversight, and monitoring remains weak and incoherent overall. There is a strong need for a comprehensive structuring of the mechanisms that can limit private donations and the sources of spending for Tajikistan's political campaigns. This section of the Report includes evaluation of major party financing and funding topics, including spending ceilings for political parties, limits on sources of material support, and the methods for public funding of parties and campaigns.

Public Funding

Public funding can be aimed at election campaigning as well as long-term institutionalization of political parties; moreover an important distinction is between direct and indirect public funding. Indirect funding gives political parties or candidates access to services at a reduced cost or for free.²⁴ In Tajikistan, there is only indirect funding of political parties and funding for parliamentary candidates. Article 15 of the Law on Political Parties, on state support, includes provisions on equal access to the state media and equality of opportunities in electoral campaigns. However, there is nothing included on the issue of specific state support to political parties. Rather, there is the provision of equal access to state-owned mass media and equal opportunities in electoral campaigns. Furthermore, the current practice shows that the state is not providing political parties with direct funding or subventions, along with their affiliated organizations, such as NGOs and analytical or legal centers. According to the OSCE/ODIHR-Venice Commission Guidelines on Political Party Regulation, paragraph 178:

“Legislation should explicitly allow financial support for political parties from the state. The allocation of public money to political parties is often considered integral to respect for the principle of equal opportunity for all candidates, particularly where the funding mechanism includes special provisions for women

²⁴ Marcin Walecki, “Practical Solution for Spending Limits,” in Eds. Magnus Ohman and Hani Zainulbhai, “Political Finance Regulation: The Global Experience,” IFES, 2009

and minorities. Where financial support is provided to parties, relevant legislation should develop clear guidelines to determine the amount of such funding, which should be allocated to recipients in an objective and unbiased manner.”

Tajikistan has also ratified the Commonwealth of Independent States (CIS) Convention on Standards of Democratic Elections which clearly refers to the fair and public funding of elections, the election campaigns of candidates, and political parties (coalitions).²⁵

Political parties can currently only access their funding sources from a government-established bank account. This account is set up and monitored during the pre-election period for the purpose of allocating funds to political parties. On the other hand, though, parties rarely or never receive funding through the official government bank account because citizens are generally unwilling to reveal their identities and financial details. They also often lack confidence in the state finance system.

According to opposition parties interviewed by the *International Foundation for Electoral Systems* in 2006, in practice, the central bank accounts are not used for receiving funding due to the negative consequences experienced by potential contributors. The “transparency” mechanism that requires political parties to reveal their sources of funding to the government can actually be used to mark contributors for possible retribution against them and/or their businesses. These reprisals range from the imposition of sudden and excessive “trumped up” taxes to the removal of business licenses and other overt or subtle ways to scrutinize and discourage support for an opposition party.

²⁵ Convention on the Standards of Democratic Elections, Electoral Rights and Freedoms in the Member States of the Commonwealth of Independent States, (signed 2002), available at: [http://www.venice.coe.int/docs/2006/CDL-EL\(2006\)031rev-e.pdf](http://www.venice.coe.int/docs/2006/CDL-EL(2006)031rev-e.pdf); the text of the Convention is available in Russian at http://www.echr-base.ru/democratic_sng.jsp.

The Electoral Deposit

The electoral deposit requirement that is included in the Law on Elections to the Majlisi Oli²⁶ is exceptionally high given the present economic conditions of Tajikistan.²⁷ It currently stands at over EUR 1100, up from EUR 600 in the previous elections in 2005, thereby discouraging the spirit of cooperation between the government and political parties, particularly the opposition. In fact, the high deposit actually hinders the activities of political parties in the electoral process and requires political parties to substantially invest in their candidates.

In the single mandate districts, the deposit is returned only to the winning candidate. In regard to the party lists, the deposit is forfeited unless the nominating party passes the 5 per cent threshold in the country-wide constituency. The candidate registration deposit, which is a new amendment to the election law, was so high by local standards that virtually all parties have complained that it eliminates many potential candidates and limits voter choice. Recent IFES reports have also indicated that the registration fees diminish the incentive for opposition or independent candidates to run for office. The number of candidates that a party is able to field has been reduced, particularly in 2005 as compared to 2000. The CCER of Tajikistan has taken the position that this form of electoral deposit is widespread in

²⁶ Article 32(1) of the Electoral Law states, "Candidates to deputies of the Majlisi Namoyandagon before being registered and after examining appropriateness of his/her candidacy to the requirements of the Constitution and the present Law by the district electoral commission, he/she pays registration fees from his/her own account the amount of 200 (two hundred) minimum wages to the account of the Central Commission for Elections and Referenda. The registration fees will be returned to the candidate in case if he/she is elected to deputies of Majlisi Namoyandagon. When canceling the decision of a candidate's registration or in case the candidate is not elected as a deputy to the Majlisi Namoyandagon the registration fee is not returned. It is transferred to the republican budget. Political Parties that have nominated list of candidates to deputies of Majlisi Namoyandagon in the single all-republican electoral district, after examining appropriateness of their nominees to the requirement of the Constitution and the present Law by the Central Commission for Elections and Referendum, pay registration fees from their account in the amount of 200 (two hundred) minimum wages to the account of the Central Commission for Elections and Referenda. The registration fees are returned to those parties that pass the 5% threshold. In all other cases the registration fees of political parties are not returned, but transferred to the state budget.

²⁷ Past OSCE/ODIHR reports recommended lowering the fee, and this was also raised as a concern during the OSCE/ODIHR [Needs Assessment Mission]. The current deposit... is a considerable amount for many people. Representatives from the presidential administration stated that people who could not collect such an amount should probably not become deputies." See: Parliamentary Elections, February 2010, Needs Assessment Mission Report, 4 December 2009.

international practice, and can be found in the laws of many countries. The CCER think that there is no need to reduce the amount of the deposit. According to the OSCE/ODIHR Venice Commission Guidelines on Political Party Regulation, paragraph 143: “...While monetary deposits may be required, deposits that are excessive may be deemed discriminatory, as they limit the right of citizens without adequate financial resources to stand for election as protected under human rights instruments...”

Party Groups in the Parliament

There is no practice in Tajikistan of providing parliamentary factions and groups with separate state funding that would be the functional equivalent of party support. According to the Council of Europe (Venice Commission-2002), “all parties represented in parliament must qualify for public funding.”²⁸ In general, the political parties in Tajikistan need sufficient funds to effectively and actively participate in government. The role of political parties in Tajikistan’s representative bodies is undermined by the lack of appropriate and adequate funding. The ability of a party to enter Tajikistan’s representative bodies may show minimum levels of support and provide guidance for the best ways to allocate public funding. Currently, there is only one parliamentary faction in the national parliament (the PDPT). If public funding in Tajikistan were provided on the basis of the party’s capacity for faction formation, then funding PDPT, it would be considered as direct support to the ruling party and thus would further worsen the relationship between the state and other political parties. Nevertheless, according to the OSCE/ODIHR Venice Commission Guidelines on Political Party Regulation, paragraph 188, “At a minimum, some degree of public funding should be available to all parties represented in parliament. However, to promote political pluralism, some funding should also be extended beyond those parties represented in parliament to include all parties putting forth candidates for an election and enjoying a minimum level of citizen support. This is particularly important in the case of new parties, which must be given a fair opportunity to compete with existing parties.

²⁸ “Code of Good Practice in Electoral Matters, Guidelines and Explanatory Report,” Venice Commission, 30 October 2002, Opinion no. 190/2002_el, CDL-AD (2002) 23, p. 29, available at [http://www.venice.coe.int/docs/2002/CDL-EL\(2002\)005-e.pdf](http://www.venice.coe.int/docs/2002/CDL-EL(2002)005-e.pdf)

Candidates for Public Office

Although there is no public funding support of political parties in Tajikistan, the CCER provides money for individual candidates nominated by political parties to participate in elections. In earlier elections, such as in January 2000, the CCER allowed each political party USD 113 (200,000 Tajik Rubles) and each candidate USD 23 (40,000 Tajik Rubles). Parties and candidates protested against these low limits, which made a substantial campaign impossible. The CCER eventually also decided to allow parties and candidates to use their own funds for political campaign activities. In the 2010 parliamentary elections, each candidate was given 3,000 Somoni (approximately 500 Euros). This has been considered an attempt to attenuate the burden of the payment of the electoral deposit, although it is not even half of the amount of the very high electoral deposit. The CCER has also issued a Regulation that sets the limits for contributions of private persons and legal entities for the campaigns of candidates and political parties.

Non-Cash Benefits

The practice of allowing non-cash benefits, such as use of state premises, to the ruling PDPT party (both on the national and local level) is currently the most controversial topic in Tajik political society. Leaders and representatives of other political parties perceive this practice (cost free rent of office for several structures of the PDPT) as indirect state support of the ruling party. Many parties also request the same privileges of using government premises on a free or reduced-cost basis. However, the practice of provision only to the PDPT persists. Political parties are also usually given free airtime on state mass media during electoral campaigns, nation-wide events, or serious issues (for example, the time when there was a campaign for people to buy shares in the Roghun hydroelectric power plant to raise money for its construction).

Fundraising and contribution restrictions

Tajikistan's political parties have the right to accept contributions in the form of money or other property from individuals, enterprises, organizations, public associations, foundations, and other non-state legal entities.

However, it is prohibited for a political party to accept contributions from:

- Charitable institutions and religious associations
- State enterprises and organizations, and enterprises or organizations wholly or partly owned by the state;
- Foreign states, citizens, enterprises and organizations;
- Enterprises and organizations with foreign capital;
- Anonymous individuals and entities;
- Political parties that do not form an association with the party being given the contribution.²⁹

Membership fees constitute only one component of party funds, although usually only around 1% of the monthly income of a party member. The OSCE reference manual on Political Parties of the Republic of Tajikistan includes all statutes of the political parties operating in Tajikistan. The information in this manual shows for example that the PDPT fixes its membership fee at 1% of monthly income, while the statute of the SPT provides for a 3% contribution. At the same time, the membership fee is waived for retirees, students, and other people with incomes that can be lower than a seventh of the minimum wage. Therefore, if the average number of members of a political party is 30,000 (approximately 240,000 members are in all 8 political parties) and the average wage could be about 100 Somoni, the average membership fees that are being collected could amount to 240,000 Somoni combined for the political parties. The OSCE/ODIHR has quoted the average monthly salary to be 288 Somoni.³⁰ However, the actual average wages could be lower, while the total amount of funds available to political parties can be affected by the following factors:

- the number of unemployed among party members;
- the Systematic non-payment of membership fees, which is a problem for all political parties; and
- contributions from legal entities, public associations, and businesses

Moreover, as political party experts from Moldova have recently written, “political parties must have the necessary finances to develop and run their statutory activities that require seed money and considerable resources. As facts have shown so far, membership fees are insufficient to establish, maintain, and develop truly viable political parties, particularly in a society in [economic] transition, with a largely impoverished population.”³¹

²⁹ Article 13, Law on Political Parties.

³⁰ OSCE/ODIHR, “Election Observation Mission Final Report-Republic of Tajikistan Parliamentary Elections, 28 February 2010,” Warsaw, 6 July 2010, p. 12.

³¹ Igor Munteanu, IDIS “Viitorul,” “Political Parties Legislation in Moldova: Review and Recommendations for Reform,” 2010.

The regulations included in Article 9 of the Elections Law have set the ceiling for financial contributions to the election campaigns of candidates and political parties. For instance, a candidate may receive amounts up to 50 times the minimum salary from an individual and up to 100 times the minimum salary from a legal entity. Political parties are authorized to receive contributions up to 100 times the minimum wage from individuals and up to 500 times from legal entities. The minimum wage is currently 80 Somoni per month (less than twenty USD). For campaigns, political parties and candidates are only allowed to use campaign funds that are established with authorization by the CCER that are deposited in a specified bank in Tajikistan. The total spending/maximum size of the electoral fund of a candidate should not exceed 1,500 times the minimum wage, and a political party fund should not be greater than 30,000 times the minimum wage.

The Tajik Law on Political Parties does not allow for the business activities of political parties. In practice, though, some political parties are involved in publishing, both for political and commercial purposes. The country's political party regulations provide for different mechanisms of spending (mostly membership fees). For example, the charter of the CPT envisages that "membership fees are used for funding the activities of regional branches of the party in the following proportions: 25% – primary party subdivisions, 25% – district and city committees, 25% – regional committees, and 25% for the Central Committee of the party. The charter of the IRPT attributes 50% of the party income to the central bodies of the party. The charter of the DPT allows local party bodies to spend up to 25% of their income for their needs. The OSCE/ODIHR-Venice Commission Guidelines on Political Party Regulation in paragraph 163 states:

"Political parties may require the payment of a membership fee. While such fees should not be so high as to unduly restrict membership, they are a legitimate source of political party funding. Legislation should ensure that membership fees are not used to circumvent contribution limits. This can be accomplished by treating membership fees as contributions."

Monitoring and control of party activities

According to the current regulations in Tajikistan, the governing body of a political party is obliged to publish (usually in a state newspaper) a financial report about funding sources, amounts, and expenditures of funds that come to the party during a reporting year, as well as party property and taxes paid. The tax agencies have the right to check the financial reports

of political parties. Since 2010 and the recent parliamentary elections, the financial reports should also show funding from individuals and legal entities for the election campaigns of specific political parties and their candidates.

The United Nations Convention against Corruption obliges states to make good-faith efforts to improve transparency in election-candidate and political party financing. This is reaffirmed in the OSCE-ODIHR/Venice Commission Guidelines on Political Party Regulation, paragraphs 201–206, which includes the provision that “political parties should be required to submit disclosure reports to the appropriate regulatory authority on at least an annual basis in the non-campaign period. These reports should require the disclosure of incoming contributions and an explanation of all expenditures.”

Currently, only the Tax committee under the government of Tajikistan may inspect the financial reports of political parties. As mentioned above, each political party has its own Control and Audit Commission with obligations to annually audit thoroughly its economic and financial activities. The Ministry of Justice has a special department responsible for controlling the activities of political parties, conducting monitoring and evaluation annually of political party activities. Apart from the requirement to submit annual reports before April 1 of the current year, representatives of the department may attend a political party’s events to evaluate the adequacy of the procedures. The Prosecutor General’s Office of the Republic of Tajikistan also has the power to supervise the activities of political parties.

PART 1: SUMMARY

The further strengthening of the multi-party system in Tajikistan requires changes and amendments to the existing Law on Political Parties to provide for state support to all political parties that reach a certain per cent threshold, recommended at the level of 3%. Currently, Tajikistan does not provide sufficient public financial support for political parties. If it were to amend the existing regulations, such support might increase the number of parties because increasing the resources and public funding of parties consequently increases political pluralism. Targeted support to well-established parties that have a base of supporters would also strengthen cooperation between the parties and guarantee the stable and progressive development of Tajik society. State support in these circumstances could take the form of funds allocated to political parties proportionate to received votes (for example 1 Somoni per vote for elections to the Majlisi Namoyandagon). Naturally, consideration must be given to establishing an upper limit for state support (up to 60–65% of votes per party) as absence of such a ceiling for support levels could lead to further falsification of the election outcomes. State support though should not interfere with the independence of political parties. To achieve a fair and competitive political system, Tajikistan also needs a strong, effective, and independent regulator that can monitor party and campaign finance.

PART 2:
WOMEN'S PARTICIPATION
IN POLITICAL LIFE

Chapter 1.

The international and national legal framework for implementation of women's political rights

Background

Tajikistan has ratified a number of international conventions and agreements and is thereby committed to implementing and upholding basic standards in the sphere of human rights, including the rights of citizens, regardless of gender, to participate in political and public life. In the mid-1990s, Tajikistan began to develop and implement a gender policy that aimed to create conditions for achieving gender equality at all levels, including in decision making.

When Tajikistan was part of the Soviet Union, gender equality development in Tajikistan, like in other USSR republics, was promoted through directives and orders from the government. It was, in essence, aimed at achieving the total emancipation of women.³² In Soviet times, the 'women's issue' was one of the highest priorities of the State. In order to reduce illiteracy among women and to encourage them to pursue advanced education, women's clubs were set up in towns and cities so that women could gain knowledge and acquire basic industrial skills.

³² "The term 'emancipation' dates back to the middle of the XIX century when it referred to the women's movement that aimed at liberation from dependency and/or oppression, abolition of gender-based limitations, and pursuit of gender equality in the eyes of the law. The objectives of this kind of movement are to change existing social positions, to achieve equal pay, equal access to education, etc." The Glossary of Gender Terminology, Edited by A. A. Denisova, M., 2002, p. 246.

Women were active in all spheres of public life. In the late 1980s, 88 women of Tajikistan were honored with the prestigious award, “Hero of Socialist Labour,” and over 19,000 women of the Republic were awarded other USSR orders and medals. It is not by chance that the participants of a UN conference held in June 1975 in Mexico City paid particular attention to the USSR experiences working on achieving equality for women, especially in Central Asia, where in a short time women were liberated from centuries-old gender-based oppression, became active members of society, and made notable contributions to the development of their national economies.

The relatively high percentage of women in political and public life (for example, up to one third of all deputies were female) was the result of compulsory quotas for government positions and members of parliament (deputies), as imposed by the Communist Party authorities. According to the 1989 Census, women held 25.8% of management positions in the Tajik Soviet Socialist Republic. However, it is important to note that the relatively high percentage of women active in public life during this period did not automatically translate into meaningful decision making power or influence. The limited space for political competition also circumscribed debate on how to effectively address gender inequality and gender-related issues, despite attention to lifting women’s social status.

From 1989 on, women’s participation in political life at the central and local levels began to fall. This was a direct result of the abolition of women’s quotas for elections to the Supreme Soviet of the Republic in its 12th convocation, when the number of female deputies fell to 3.9% or 9 deputies out of 230. Furthermore, the first years of Tajikistan’s independence were marked by the Civil War (1992–1997), and in 1995, the share of women in the country’s Parliament amounted to only 2.8%, with 8.7% in local representative bodies.³³ Women constituted only 3.3% of leading positions in central government, 5% at the level of vice-heads of central government departments, and 19.4% of managers of structural departments and units.³⁴

The analysis of present-day government policy and practice in this area demonstrates that gender inequality remains a critical issue. Men dominate politics, and women’s interests are not taken into account. This weakens women’s position even further and does not allow the nation to review established gender roles. Therefore, the promotion of women to all decision making levels at the national level is a strategic priority for Tajikistan.

³³ Gender Statistics in the Republic of Tajikistan, Dushanbe, 1999.

³⁴ Data available in: “Tajikistan on the Way to Gender Equality,” Dushanbe, 2004, p. 27.

International obligations

The Republic of Tajikistan has ratified a range of international conventions and agreements, such as the Convention on the Elimination of All Forms of Discrimination against Women (1993), the Convention on the Political Rights of Women, and the UN Covenant on Civil and Political Rights (1999).

Pursuant to its commitments under the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Government of Tajikistan must guarantee equality to all its citizens, not only *de jure* but also *de facto*. This includes developing and enforcing constitutional guarantees and other legislation that prohibits discrimination against women.

In January 2007 at the 37th ordinary session of the CEDAW UN Committee, Tajikistan presented the “National Report on the Status of Implementation of the Convention on the Elimination of All Forms of Discrimination against Women (1993–2006).” At the same time, the Committee analyzed the Alternative Report and Recommendations that had been simultaneously submitted by civil society representatives. In their final comments on Tajikistan’s National Report, members of the Committee noted positive steps and measures undertaken by Tajikistan on matters of achieving *de facto* equality between women and men from 1993 to 2006.

In addition, the Committee presented its recommendations on improving the situation with regard to elimination of all types of discrimination against women and protection of their rights in the future. Particular emphasis was placed on the fact that Tajikistan’s national legislation lacks any reference to temporary special measures such as quotas for promoting women to government structures, and that the country has also failed to utilize temporary special measures to implement its general policy to accelerate progress towards achieving *de facto* equality between women and men in all spheres.

The utilization of temporary special measures, as described in Article 4 of the Convention on the Elimination of All Forms of Discrimination against Women,³⁵ would facilitate women’s representation at decision making levels,

³⁵ CEDAW, Article 4 states that “Adoption by States Parties of temporary special measures aimed at accelerating *de facto* equality between men and women shall not be considered discrimination as defined in the present Convention, but shall in no way entail as a consequence the maintenance of unequal or separate standards; these measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved.”

but until now this issue remains problematic for the state and other actors, including political parties.

Notwithstanding the fact that the principle of equality between men and women in the eyes of the law is established by the Constitution of the Republic of Tajikistan (Article 17), women do not enjoy full equality due to the absence of a clear definition of discrimination in the Constitution and the nonexistence of a mechanism for ensuring women's rights in practice.

Policy framework

In order to abide by its international obligations, Tajikistan has drafted and adopted the following documents: the National Plan of Action for Enhancing the Status and Role of Women (1998–2005), the Presidential Decree 'On enhancing the role of women in society' (1999), the State Programme 'Guidelines for a State policy to Ensure Equal Rights and Equal Opportunities for Men and Women' (2001–2010), and the Law on 'State Guarantees of Equality between Men and Women and Equal Opportunities of Realizing their Rights' (2005). On November 1, 2006 the Government issued a decree adopting a National Programme for 2007–2016 entitled 'Nourishing, Selection and Promotion of Able and Talented Women and Young Women to Positions of Leadership and Responsibility.' In 2007, Tajikistan's National Development Strategy until 2015 and its Poverty Reduction Strategy for 2007–2009 were supplemented with specific chapters devoted to 'Ensuring Gender Equality.' In its decree of May 29, 2010 the Government of Tajikistan approved the 'National Strategy for Increasing Women's Activity in the Republic of Tajikistan in 2001–2010.' An Action Plan for implementing this strategy was developed. Together these two documents have the potential to ensure the necessary legislative framework and programmatic content for implementing gender policy through legislative and executive government structures:

1. **1998–2005 National Action Plan:** To improve the status and role of women and to create a pool of qualified staff for promotion to management structures on a gender-specific basis.
2. **Presidential Decree on 'Increasing the Role of Women in Society':** To ensure wide participation of women in public life and in running the country, as well as for the purposes of improving women's social status and health; To make women more active in strengthening moral values of the nation, peace and unity. The Government and its executive authorities were tasked with appointing women to positions of assistant

directors of government departments (ministers), chairs of state committees, government agencies, associations and companies, business groups and corporations, concerns, organizations and enterprises, regional, city, district, village, and *Jamoat* authorities, as well as courts and prosecution services, academic institutions of all levels, cultural organizations and health establishments. In making these appointments, the government should take into account the competence levels and professional and business qualities of women candidates.

Implementation of this Decree resulted in sharp increases in the number of women in government structures at all levels. Women were appointed deputy chairs of practically all regional, city, and district *hukumats* (executive committees). On the whole, from 2001 to 2007, the number of women working in government at the management level grew by 13% and by the end of 2007 amounted to 5,100.³⁶ However, the Decree did not envisage promoting women to top leadership positions in state authorities and limited the possibilities of appointing women to management in security and defence-related government departments. This was discriminatory with regard to women's right to equal opportunity to achieve promotion to leading positions in government authorities. For example, to this day there is no female minister in the government of Tajikistan.

3. Government Decree No. 391 (August 8, 2001): This Decree launched a State Programme entitled 'Main Directions of State Policy to Ensure Equal Rights and Opportunities for Men and Women, 2001–2010.' The Programme was financed from the State Budget at 431,000 Somoni (approximately 100,000 USD) for the period 2001 to 2009. The Committee on Women and Family Affairs under the Government was tasked with implementing the Programme. It included a number of measures to involve more women in decision making:

- training and promoting women as independent candidates during elections;
- training women to create a pool of female candidates for positions in executive authorities;
- developing and implementing the 'Training and Promotion of Women Leaders' project;

³⁶ Assessment of the implementation of the State Programme, 'Main Directions of State Policy to Ensure Equal Rights and Opportunities for Men and Women, 2001–2010' on the basis of public monitoring results. Dushanbe 2009, p. 17.

- using soft quotas for competitions for official positions, e.g. compulsory participation of female and male candidates).

The main indicator of the success of the Programme was as follows: Women's participation in legislative, judicial, and executive branches of power would reach 30%.³⁷

Unfortunately, notwithstanding the wide range of measures and steps taken with the view to promote women, the 30% target stipulated in the State Programme has not been reached. In addition, the monitoring program of the Coalition of Civil Society organizations, 'From Equality *de Jure* to Equality *de Facto*,'³⁸ alongside some positive results, revealed a number of factors that show a reduction in the percentage of women in government authorities, from 29% to 27.5%, whereas at the central government level this figure has fallen from 27.1% in 2001 to 19.8% in 2007. The current share of women in legislative bodies (among elected members of the *Majlisi Milli*, *Majlisi Namoyandagon*, and *Majlis* of people's deputies) is no more than 18%. The higher the grade of a government position, the smaller the number of women getting appointed. Every third unit manager is a woman, but only 5% of the top managers in government bodies are female. Most local authorities and legislatures are headed by men. There is not a single woman among chairs of regional authorities. Only 5.6% of chairs of city and district councils are women. 21% of chairs of *Jamoats* are women.

4. **The Law on 'State Guarantees of Equality between Men and Women and Equal Opportunities of Realizing these Rights' (2005):** This Law created a legislative framework not only for ensuring state guarantees for *de jure* equality between men and women, but also for achieving *de facto* equality. For the first time, Tajik law defined 'discrimination.' Article 5 of the Law states that "the state guarantees equal participation of men and women in running the country and ensures equal representation of men and women in legislative, judicial and executive branches of

³⁷ ECOSOC UN says that only when a country's Parliament has more than 20% women deputies do the legislators become serious about developing legislation in the interests of children. And it is only when the share of women approaches 30% does the country start to adopt laws and national programmes reflecting the urgent needs of women. Platform of Action, the Fourth World Conference on Women, Strategic Objective G: 'Women in Power and Decision Making,' paragraph 182. Quotation from, "Gender Aspects of State Management, Mini Review," 2004, p. 11.

³⁸ Assessment of implementation of the State Programme, 'Main Directions of State Policy to Ensure Equal Rights and Opportunities for Men and Women in the Republic of Tajikistan, 2001-2010,' on the basis of public monitoring - Dushanbe, 2009.

power through legal, organizational and other mechanisms.”³⁹ However, mechanisms to enforce and implement this right have yet to be developed.

5. **Article 10 of the Law on Civil Service (13 November 1998):** ensures equal access of all citizens to public service. But the Law did not establish any special measures to improve the status of women in government, such as legal quotas or soft quotas. The practice of the President of Tajikistan making direct appointments to various government positions at all levels is still widespread.
6. **Specific chapters on ‘Ensuring Gender Equality’ in the National Development Strategy (2015), and Poverty Reduction Strategy for 2007–2009:** In 2007, the issues of gender policy became part of the long and medium term strategies of social and economic development of the country.
7. **State Budget for Financing the Implementation of the State Programme for ‘Education, Selection, and Appointment of Leading Government Personnel from the Pool of Capable Women’ (2007–2016):** There are plans to pay out about 630,000 Somoni (or about 147,000 USD) from the state budget. The central government, in its resolution, ordered local *hukumats* to allocate additional funds from local executive government budgets and to raise money. At the same time, the Programme is not accompanied by a clear, well thought out plan of action to prepare and promote women to leading positions. No monitoring activity of follow up to the appointments of women was envisaged.
8. **National Plan of Action (2011–2015):** In order to implement the ‘National Strategy for Raising the Activity of Women in the Republic of Tajikistan (2011–2020),’ a National Plan of Action for 2011–2015 has been developed and is currently being discussed at different levels.
9. **Article 27 of the Constitution:** Citizens who have reached 18 years of age are entitled to participate in the political life and government of the country either directly or through their representatives, i.e. to take part in elections and to be elected. In accordance with the law on Elections to the *Majlisi Oli* and Elections to the *Majlisi Namoyandagon*, voting is held on

³⁹ The Law of the Republic of Tajikistan, “State Guarantees of Equality between Men and Women and Equal Opportunities of Realizing these Rights,” 2005, p.16.

the basis of universal, equal and direct suffrage with secret ballot using a mixed electoral system without any quotas whatsoever (Article 3).⁴⁰

In order to ensure respect for the political role of women, it is important to put in place appropriate mechanisms for implementing existing provisions of the country's law. Although a lot has already been achieved in the legislative sphere, Tajikistan needs to adopt measures aimed at practical implementation of legal provisions. The UN CEDAW Committee has pointed out this fact in its recommendations, notably numbers 17, 18, 25 and 26 which are directly linked with the low ability of Tajik women to exercise their political rights and participate in politics. These recommendations specifically refer to the fact that Tajik legislation does not have an explicit basis for or reference to temporary special measures. The Committee was further concerned about women's low representation in political bodies, particularly in the Parliament.

Public Forum 'Panorama' and 'Karat' Coalition, in a joint project, assessed Tajikistan's progress in implementing CEDAW's recommendations for 2007–2010. To date, of the 29 recommendations, 1 has been fully implemented, 14 were partially implemented, and 4 have been impossible to assess due to lack of access to data. Recommendations number 17, 18, 25 and 26 are directly linked to the ability of women to exercise their political rights and three of them (17, 18, 25) have not been implemented to date, while recommendation 26 has been partially implemented with regard to strengthening control over the practice of family voting.

⁴⁰ The Constitutional Law of the Republic of Tajikistan, "On Elections to the Majlisi Oli of the Republic of Tajikistan," (Adopted on December 10, 1999 and amended on June 16, 2004).

Chapter 2.

Women's Participation in Political Party Activities

Women's representation in political parties

Political parties are an instrument to involve more citizens in decision-making processes. The overall party system of Tajikistan is suitable for enhancing women's participation in party activities and electoral processes. However, positive changes in gender policies at the decision-making level rest on the ability and willingness of political parties to actively promote equality. Therefore, political parties should provide opportunities for women to play an equal part in party life.

Women's participation in political party activity may be assessed according to the following criteria:

1. Male to female ratio among party membership
2. Male to female ratio in party governing bodies
3. Reflection of gender issues in a party's statutory documents
4. The feature of gender issues in party election campaign documents

According to the information received from parties' central offices, the percentage of women members is as follows: Islamic Renaissance Party (IRP) – 48%, Democratic Party (DP), Social Democratic Party (SDP) – 40%, People's Democratic Party (PDP) – 37%, Communist Party (CP), Socialist Party (SP) – over 30%, while the Agrarian Party (AP) and Economic Reform Party (ERP) have men as a considerable majority.⁴¹

⁴¹ Political Parties of the Republic of Tajikistan. *Хизбҳои сиёсии Ҷумҳурии Тоҷикистон.* – OSCE, Dushanbe. 2006.

Usually political parties begin to match numbers of women members to men on the eve of parliamentary elections in order to attract voters. After the elections, the proportion of active political party members usually shifts in favor of men. Assessment results show that women in Tajikistan are seldom involved in taking important political decisions inside political parties. Table 1 demonstrates the low level of women's representation in the upper tier and governing bodies of political parties. Consequently, women do not have any meaningful influence on important matters of policy and lag behind men in terms of shaping party programmes and plans.

Table 1.
Numbers of women in governing bodies of Tajikistan's political parties⁴²

Party governing body	Number of people	
	Total	Including women
ExCom Bureau, People's Democratic Party	10	0
ExCom Bureau, Communist Party	12	2/16.7%
Political Council, Islamic Renaissance Party	11	0
Bureau, Democratic Party	10	1/10%
Political Council, SDP	14	2/14.3%
Central ExCom, Socialist Party	-	-
Bureau, Economic Reform Party	8	0
Bureau, Agrarian Party	7	0

The PDP undertakes periodic monitoring of the gender composition of its governing bodies. Of 63 ExCom members, 23 are women (36.5%). Women head 720 primary party organizations (20.6%). In towns and rural areas 6 women chair executive committees, and there are 10 women deputy chairs of executive committees.

According to information supplied by the SDP, 2 women were elected deputy Chairs of the Party, 4 women are members of the Party's Political Council

⁴² Political Parties of the Republic of Tajikistan. Хизбҳои сиёсии Ҷумҳурии Тоҷикистон. – OSCE, Dushanbe. 2006.

and Central Auditing Committee. Among 49 chairs of town and regional organizations, 13 are women (26,5%).⁴³

Gender in Political Party Statutes and Programmes

In 2009, Ms. Rabieva G. R., a member of the Majlisi Namoyandagon Majlisi Oli, carried out a survey of statutory documents (Charters and Programmes) of 8 officially registered political parties. In her opinion, “Party Charters are gender-neutral in style, because they don’t directly touch on gender issues. Not a single Party Charter contains a specific provision for promoting women to positions of power or to party governing bodies, nor do they contain any directives for ensuring equal numbers of men and women in party governing bodies.”⁴⁴ The issue of gender is explicitly mentioned in only one Charter, the Social Democratic Party: “To shape public opinion and generate political will of the electorate for effective utilization of social and intellectual potential and measures to ensure gender balance in public and state life.”⁴⁵

The charters of 3 parties, the Democratic, Social-Democratic, and Economic Reform Parties, mention gender when describing rules for party membership and stating that people can become members irrespective of their gender, race, ethnic origin, language, faith, and domicile in accordance with Article 17 of the Constitution.

The Charters of the PDP, CP, SDP, SP, AP, and ERP contain provisions on equality between all members of the party and equal rights of all members to nominate and be nominated as a candidate from the party during elections.

Article 17 of the PDP Statute provides for the establishment of special structural units for working with women, including Women’s Committees. Among party objectives, as set out in paragraph 1.4 of IRP Charter, there is also the following objective: “To enhance citizen’s political and cultural knowledge, especially that of women and young people, through organizing political actions to involve them in political activity and affairs of the state.”

⁴³ Meeting of Women’s Discussion Club under the aegis of NGO ‘Women as Electorate,’ Minutes of the meeting held on 19 February 2009, Dushanbe.

⁴⁴ Gender Issues and Political Parties, Authored and compiled by Rabieva G.R, Dushanbe, 2009, p. 62.

⁴⁵ Ibid. p. 62.

With the exception of the PDP, all political party programmes reflect aspects of Tajikistan's current stage of democratic and economic development, focusing on improving people's economic well-being while paying little attention to enhancing the role of women in these processes.

On the whole, the gender component is missing from party programmes or, at best, features in an embryonic form, expressed mainly in the context of demography, i.e. in terms of "protection of motherhood, childhood, and family."⁴⁶ Gender problems, which are currently high on the national and international agendas for Tajikistan, have not been reflected in policy documents of many parties. This is a consequence of the traditional approach to gender, a culture that dictates specific roles and relationships between men and women. Furthermore, many women party members, candidates and parliamentarians do not speak out on issues that affect women in particular or actively support other women as political actors. Women therefore fail to serve as mentors for their peers or for future generations of potential female political leaders.

Capacity Development Initiatives and Strategies for Women Political Party Members

Due to the fact that party documents treat gender equality objectives as an issue that affects women exclusively, most parties in their practical activity reduce this work to its traditional course, i.e. as a special activity to be undertaken only by a special structural unit devoted to "women's" issues. In the PDP, these matters are handled by the "Commission for Working with Women," which organizes and holds meetings with deputies, round table discussions and conferences on current issues, runs a leadership academy for women, and organizes cultural and educational events. The IRP places importance on recruiting women to party membership and preparing them for political activity. The Party regularly publishes an information bulletin for women. During election campaigns female candidates also receive financial support (the IRP pays their election deposit). The female sector of the Supreme Bureau of the Party undertakes wide-ranging information and education programmes.

NGOs also influence whether gender issues are reflected in party activities and programs, notably by organizing discussion clubs with representatives

46 Ibid., p. 72-73.

of different political parties, holding training sessions, and conducting seminars.⁴⁷

However, women continue to be marginalized when it comes to the important policy decisions adopted by political parties. Due to the weakness of statutory and programmatic provisions, practical activities of political parties related to gender equality are focused usually only on increasing women's participation (as candidates) in elections to representative bodies and not on policy or programmatic development. This highlights the need for targeted initiatives on increasing women's participation in policy-making processes. Such initiatives should include enhancing the capacity of women party members to transform common concerns, needs and priorities into policy issues as well as build skills necessary to influence policy debates.

With certain exceptions, including the Women's Committees foreseen in the statutes of the PDP, political parties have not established formal women's wings, branches or sections. On the one hand, women's wings have been sometimes used to isolate or marginalize women's issues from the main political party agenda. On the other hand, if properly established and budgeted for, these bodies can serve as a vehicle for building women's political expertise and developing policy responses to issues of joint concern.

Likewise, until recently there were no cross-party initiatives, such as caucuses or factions, bringing together members of different political parties to advocate on gender equality issues and women's political participation. Cross-party initiatives can create a strategic "critical mass" of voices, so that issues of concern to women political actors are included in and prioritized on party agendas. Recently, such a cross-party platform was established during the OSCE/ODIHR's Human Dimension Seminar on "The Role of Political Parties in the Political Process", held in Warsaw 18–20 May 2011. Women representatives of the eight registered political parties established the platform during the Seminar as a means of advocating for gender equality. It will also serve as a mechanism for women party members to pressure their political parties to start addressing gender-related issues, as well as further support women party members as candidates for public

⁴⁷ Projects carried out by the NGO National Association of Political Scientists of Tajikistan (1998–1999), "Traditions and Modern Times" (1999–2001) and the NGO "Women and the Electorate."

office.⁴⁸ Such initiatives can provide a powerful forum for influencing the political agenda at national, regional and local levels in regard to gender equality, both within political parties and during electoral campaigns.

⁴⁸ See the press release published on the OSCE Office in Tajikistan website, "More Women Needed in Politics in Tajikistan, Say Participants in OSCE Meeting in Warsaw, 20 May 2011, available at: <http://www.osce.org/tajikistan/77965>

Chapter 3.

Participation of Women in the 2000, 2005, and 2010 Parliamentary Elections

The law “Elections to the Majlisi Oli” was adopted on December 10, 1999. National Parliamentary elections were held in February 2000 and the first professional two-chamber Parliament, the Majlisi Oli, was elected, consisting of the Majlisi Namoyandagon (the lower chamber) and the Majlisi Milli (the upper chamber).

Quantitative analysis of women’s participation in the 2000 elections showed that of 287 candidates who nominated themselves in single-mandate constituencies, 29 were women. This is just over 10% of all self-nominated candidates. Only 22 women from 214 candidates were elected, which also amounts to 10% of the overall number of candidates. Women were elected to represent 4 out of 41 single-mandate constituencies, approximately 10%.

Candidate Registration, Political Party Funding and Women’s Candidacy

The elections in 2000 showed that women nominated by political parties were most successful of all women running for Parliament. All 7 women who nominated themselves in single-mandate constituencies and failed to get elected were independent candidates, i.e. they had no support from any of 6 political parties that were active in the elections. However, on the whole, this cannot be viewed as gender-based discrimination, because the situation with respect to independent male candidates was very similar.

In 2004, the above-mentioned Law was amended and the elections deposit was introduced.

“Prior to registration and once the district electoral commission has deemed him or her eligible and in compliance with the requirements of the Constitution and this present Law, any candidate running for the Majlisi Namoyandagon shall, from personal funds, pay an electoral deposit equal to 200 (two hundred) times the minimum wages for the account of the Central Commission for Elections and Referenda. Political parties submitting candidate lists to a single national constituency shall, from their own funds, pay an elections deposit in the amount equal to 200 minimum wages for each of their candidates.” (Art. 32, Note 1)⁴⁹

This meant that in the context of Tajikistan’s extreme poverty, where half of the population lives below the poverty line, the law actually introduced a means-related barrier that deprives the overwhelming majority of educated people, including women, of their right to be elected to the Parliament. This was particularly damaging to women who have significantly lower incomes than men. It should be added that the deposit is reimbursed only on successful election of the candidate to Majlisi Namoyandagon, while political parties can have it reimbursed only if they gain no fewer than five per cent of the total number of votes cast during the elections. In addition, pursuant to the new amendments, the candidates are required to submit additional documents for registration, such as a medical certificate of sound mental health (Art. 35). In the opinion of many experts this provision not only violates the candidates’ human rights but is offensive. On the whole, many of the new amendments have considerably limited competition for seats in the Parliament and reduced equal opportunities for the Republic’s citizens to be elected to Parliament.

These provisions can be deemed particularly disproportionate in the absence of an equitable system of public funding for political parties. The Venice Commission-OSCE/ODIHR-Venice Commission Guidelines on Political Party Regulation provide extensive guidance on public funding for political parties, including for women candidates. In fact, the Guidelines state that *“The allocation of public money to political parties is often considered integral to respect the principle of equal opportunity for all candidates, in particular where the state’s funding mechanism includes special provisions for women and minorities.”* In the absence of direct public funding for political parties, political parties can internally support women candidates by assisting in the payment of candidate registration deposits (as currently practiced by the IRP). Furthermore, the Guidelines in paragraph 180 indicate that non-financial assistance can be provided by the state to women candidates:

⁴⁹ Gender Issues and Political Parties, p. 88.

To support women's participation in elections, the state may also consider the provision of free child-care or similar measures and the implementation of funding mechanisms to support candidates with family duties. Such non-traditional forms of in-kind contributions may be necessary to allow for the full participation of women in political life.

Nomination of Women Candidates

On the eve of the 2005 elections, NDP membership numbered 100,455 persons, including 33,151 women. The Party Congress nominated 22 candidates to run for Parliament (one of them later de-selected himself), including 8 women. The CP consisted of 55,000 members with over 20% women. Ten people were nominated to run for Parliament, including 2 women. The SDP numbered 5,200 members, and it put forward 21 candidates, including 5 women. The IRP had over 22,000 members with over 40% women. The party put forward 21 candidates, of whom 2 were female. The DP has over 4,000 members, and it nominated 17 candidates including 3 women.⁵⁰

Table 2.
Nomination of women to Majlisi Namoyandagon through party lists

Parties	2000 elections			2005 elections		
	Total number of candidates in a party list	Of them women	%	Total number of candidates in a party list	Of them women	%
PDP	21	6	28,6	21	8	38,0
IRP	15	4	26,7	15	2	13,3
CP	20	2	10,0	9	2	30,0
SP	18	2	11,1	5	1	20,0
DP	19	1	5,3	4	1	25,0
ADOLATHOH	15	1	6,7	-	-	-
SDP	-	-	-	7	3	42,8
Total	108	16	14,8	61	17	27,8

⁵⁰ "Tajikistan: 2005 Parliamentary Elections," Elections Booklet – Dushanbe 2004, p. 36.

Table 3.
Nomination of women for Majlisi Namoyandagon elections through party lists prior to and after registration of candidates

Parties	Preliminary data (as of 23 December 2004)			Final data provided for the Central Electoral Commission (as of 25 February 2005)		
	Total number of candidates in the party list	Of them women	%	Total number of candidates in the party list	Of them women	%
PDP	22	8	36.4	21	8	38
IRP	21	2	9.5	15	2	13.3
CP	10	3	30	9	2	30
SP	12	3	25	5	1	20
DP	17	3	17.6	4	1	25
ADOLATHOH	-	-	-	-	-	-
SDP	21	5	23.8	7	3	42.8
Total	103	19	18.4	61	17	27.8

It is important to note the correlation between women's success in the 2000 and 2005 elections and their relative position (number) on the party lists (see Table 4). The law on elections to Majlisi Oli does not provide for any quotas, nor do quotas feature in any political party Charters, whereas this practice exists in other countries.⁵¹ Each party in Tajikistan acts at its own discretion, as can be seen from Tables 4 and 5. Not a single party placed a woman at the head of its list of candidates, nor was balance between equal representation of men and women maintained. The contrast is particularly salient at the beginning of each list.

⁵¹ Sweden introduced party quotas and 40% representation of both genders in governing bodies in 1994.; in Denmark, since 1980, political parties have guaranteed 40% of the seats to women; Belgium has a legislative quota since 2002: during the first elections following adoption of this law, three first positions in party lists cannot be held by candidates of the same gender, during subsequent elections the rule applied only to the first two positions; in Germany 40–50% party quotas were introduced in 1986.

Table 4.
Positions of female candidates in party lists

	As of 23 December 2004	As of 25 February 2005
PDP	3, 8, 11, 13, 15, 17, 18, 20	3, 8, 11, 12, 14, 16, 17, 19
IRP	10, 13	10, 12
CP	7, 9, 10	8, 9
SP	3, 5, 8	4
DP	7, 10, 17	4
SDP	5, 7, 8, 19, 21	3, 4, 5

The large deposit required for registration of candidates as well as the parties' expectations of success (ability to pass the 5% barrier) meant that all parties with the exception of the NDP had substantially reduced the numbers of candidates they put forward for the party lists. The absolute number of women candidates fell accordingly, but in percentage terms the number of women nominated by all parties with the exception of the CP actually increased. (See Table 5).

Table 5.
Positions of women candidates in party lists for Parliamentary Elections in 2000 and 2005

	Year 2000 elections	Year 2005 elections
PDP	3, 7, 10, 16, 18, 21	3, 8, 11, 12, 14, 16, 17, 19
IRP	7, 8, 14, 15	10, 12
CP	6, 13	8, 9
SP	4, 9	4
DP	12	4
Adolathoh	6	-
SDP	-	3, 4, 5

Of 209 applicants for single-mandate constituencies, 21 were women (of them 10 represented political parties and 11 were self-nominated), 168 candidates achieved official registration, including 17 women (10%). 135 candidates took part in the elections, including 17 women (12.5%). According

to the data published by Tajikistan's Central Electoral Commission, the majority of seats in the newly-elected Parliament⁵² were gained by the ruling People's Democratic Party (PDP). It won 17 seats (74.9%) through party lists and 32 seats through single-mandate constituencies. Four seats (13.64%) in the Lower Chamber (Majlisi Namoyandagon) were won by the Communist Party, three of them through party lists and one through single-mandate constituencies. Two seats (8.94%) were won by the Islamic Renaissance Party. In total, 11 women were elected, although all of them were members of the ruling PDP. In addition, five independent self-nominated candidates were elected. Three parties did not achieve the number of votes needed to overcome the 5% threshold and are not represented in Parliament. These are the Democratic Party with 1.73%, the Social Democratic Party with 0.5%, and the Socialist Party with 0.3%.

Thirty-four women ran for Parliament in 2005, which was 15% of the overall number of candidates. Seventeen of these women were nominated through party lists (27.9% of the overall number of candidates) and 17 ran in single-mandate constituencies (10% of the overall number of candidates). Similar to previous elections, the women nominated by the People's Democratic Party enjoyed the highest success rate, whether running as part of a list (7 were elected) or through the single-mandate procedure (4). Not a single woman representing other parties was elected to Parliament. The share of women in the Lower Chamber amounted to 17%. Women were successful in 4 of 41 single mandate constituencies, which amounted to 10%.

Elections to the Majlisi Milli, the Parliament's Upper Chamber, also took place on the March 24, 2005. Four (12%) of 33 elected Deputies were female. The proportion of women in the Tajik Parliament (both Chambers) was therefore 15.6%.

⁵² 2,953 polling stations were organised in the country and outside its borders; 3,132,072 people were registered to vote, and of them 2,900,426 voted. This was 92.6% of the total electorate. Six political parties took part in the elections: the People's Democratic Party, the Islamic Renaissance Party, the Communist Party, the Social Democratic Party, the Democratic Party, and the Socialist Party. The elections were monitored by 445 international observers monitored (209 of them came from the CIS, 166 from OSCE) and 12,000 national observers.

Table 6.
Gender composition of representative authorities at different levels at different convocations (2005)

	Total number of members		% women	
	Men	Women	2000	2005
Majlisi Milli	30	4	11.7	11.8
Majlisi Namoyandagon	52	11	12.7	17.5
Majlisi – regional level	156	34	11.6	17.9
Majlisi– city/town level	563	93	15.4	14.2
Majlisi – district level	1578	291	11.4	15.6

As a result of the amendments introduced to the Law on Elections to the Majlisi Oli, the overall number of candidates running for the Majlisi Oli fell in comparison with previous elections from 2000. The number of candidates running through party lists fell from 108 in the year 2000 to 61 in 2005, in single-mandate constituencies the ratio was 214:135 respectively. The number of women running in single-mandate constituencies also dropped, from 29 (2000) to 17 (2005). No cases of overt gender discrimination were observed; on the contrary, women achieved better results in 2005 elections, especially those representing the PDP. As for women representing other parties and running as independent candidates, they failed to become elected once again, but in itself this does not represent gender-based discrimination. Instead, the reasons are linked with political factors and internal party politics.

Analysis undertaken by the Coalition of NGOs, ‘From equality *de jure*, to equality *de facto*,’ showed that “the total number of women registered on party lists and single-mandate constituencies grew from 34 (in 2005) to 37. Of them, 15 were nominated through party lists and 22 through single-mandate constituencies.” Published data shows that the majority of women (13) were put forward by the People’s Democratic Party, whereas the Islamic Renaissance Party nominated 7 women, the Communist, the Economic Reforms, and the Social Democratic Parties nominated 2 women each, and the Socialist Party and the Agrarian Party each put forward one woman. The Democratic Party of Tajikistan failed to nominate any women at all. Nine women ran as self-nominated candidates, of which one was a member of the People’s Democratic Party and the other a member of the Agrarian Party (see Table 7).

Table 7.
Women among registered candidates for the Majlisi Namoyandagon Majlisi Oli elections in 2010:

Political Parties	Total Candidates	Share of women candidates	Of them, total number of candidates		Of them total number of women	
			Through party lists	Through single mandate constituencies	Through party lists	Through single mandate constituencies
People's Democratic Party	72	13 – 18.1%	22	50	6	7
Islamic Renaissance Party	39	7 – 17.9%	20	19	4	3
Communist Party	19	2 – 10.5%	9	10	1	1
Agrarian Party	12	1 – 8.3%	6	6	1	-
Economic Reform Party	14	2 – 14.3%	4	10	-	2
Socialist Party	3	1 – 33.3%	3	-	1	-
Social-Democratic Party	9	2 – 22.2%	7	2	2	-
Democratic Party	3	-	2	1	-	-
Self-nomination	77	9 – 11.7%	-	77	-	9
Total	248	37 – 14.9%	73	175	15 – 20.5%	22 – 12,6%

Not a single party achieved the 30% target of women candidates, which is the global target set by the UN for the minimum percentage of women at decision-making levels.⁵⁵ The parity zone is actually considered to be between 40 and 60%.

According to the results of the parliamentary elections in 2010, “a total of 15 women from 73 candidates (21%), who were registered under party lists, competed for the mandate out of 22 possible mandates. In 41 single-mandate constituencies, 129 candidates included 17 women (13%). There were 13 women (20.6%) among 63 elected candidates. Seven women were elected in single-mandate constituencies and six women were elected under

⁵⁵ The Beijing Declaration and the Platform for Action: Fourth World Conference on Women, Beijing, China, 4–15 September 1995. Source: http://www.unifem.org/gender_issues/democratic_governance/facts_figures.php

party lists. All elected women were from the PDP.”⁵⁴ The data analyzed above demonstrate the importance of internal political party nomination and selection procedures on the number of women candidates nominated by political parties. Further, the OSCE/ODIHR-Venice Commission Guidelines on Political Party Regulation in paragraph 113 highlight the importance of candidate nomination and selection procedures for women’s candidacy, and state that:

Recognizing that candidate selection and the determination of ranking on electoral lists is often dominated by closed entities and old networks of established politicians, clear and transparent criteria for candidate selection are needed, in order for new member (including women and minorities) to gain access to decision-making positions. A gender-balanced composition for party selection bodies should also be recommended.

Furthermore, given the importance of political parties for women’s successful election to public office, political parties may be encouraged to introduce special measures internally as a means of increasing women’s candidacy. In the absence of, or resistance to, gender quotas introduced by legislation or decree, internal voluntary quotas introduced by political parties have proven an effective means of increasing the number of women put forward as candidates. The OSCE/ODIHR-Venice Commission Guidelines on Political Party Regulation in paragraph 109 highlight that such measures should not be deemed discriminatory. On the contrary, the “adoption of voluntary quotas is an exemplary effort on the part of such parties and should be viewed positively” as a means of enhancing equal opportunity. Voluntary quotas can also be applied to decision-making bodies, such as party leadership and nomination/selection boards, to increase the number of women in management, decision-making and leadership positions.

Government and Political Party Initiatives to Increase the Number of Women Candidates

The election campaign preceding the 2010 Majlisi Namoyandagon elections and local elections was marked by increased attention of state authorities to women’s participation. The influence of government gender equality policy priorities on political parties should not be under-estimated; “top-down”

⁵⁴ OSCE/ODIHR, “Election Observation Mission Final Report – Republic of Tajikistan, parliamentary elections, 28 February 2010.” Warsaw, 6 July 2010. http://www.osce.org/documents/odihr/2010/07/45213_ru.pdf

pressure can influence political parties to pay more attention to women as party members, leaders and candidates for public office. For example, the PDP City Conference in Dushanbe discussed, among other issues, the need to improve the gender equality situation and to increase the number of women in city and district *Majlisi* (councils) to 30% and above. On the PDP's initiative, 6 representatives of women's NGOs who were not card-carrying party members but active in solving women's issues in various spheres of public life (legal, education, healthcare) were put forward to run for local *majlises*.

A new and positive feature of the latest elections was the registration of candidates who were members of NGOs. These candidates ran for the *Majlisi Namoyandagon* as well as for regional, town, and district *majlises*. Ten of them were members of the NGO Coalition. From just Dushanbe, 6 members of the Coalition ran for city and district *majlises*. (See Table 8). As women are very active in NGOs in Tajikistan, this is a positive development. If nurtured effectively, the skills women develop through their involvement in the civil society sector can be further cultivated into the type of skills important for participation in political life.

Table 8.
Women representation among candidates registered for the elections to city and district *Majlisi* in Dushanbe (2010)

City/district <i>Majlis</i>	Total number of candidates put forward	Women Candidates	
		Number	Percentage
City <i>Majlis</i> of people's deputies	199	44	22,1%
District <i>Majlis</i> of people's deputies, Shomansur	85	29	34%
District <i>Majlis</i> of people's deputies, Somoni	75	24	32%
District <i>Majlis</i> of people's deputies, Firdausi	72	22	30,6%
District <i>Majlis</i> of people's deputies, Sino	110	27	24,5%

The results of the parliamentary elections demonstrate that most parties do not have any tangible or notable evidence of their work with women or the demonstrable desire to achieve actual gender equality at the decision-making level. Many commitments declared in pre-election programmes and manifestos to support women, to protect their rights and enhance their knowledge of legislation have remained mere words on paper. On the whole,

the parties believe that first they must get into power and then they can strive to achieve their objectives, whereas the opposite approach would have been more appropriate: to carry out the actions they have promised and thereby to win the trust of the electorate. At the same time, it must be said that not all parties possess the staff and the financial resources necessary to carry out comprehensive measures leading to greater gender equality. Moreover, so far parties do not have sufficient motivation to include women in top places of party candidate lists or to promote them to party governing bodies. Party leaders may simply be lacking the political will to bring about these changes. Nonetheless, this report also indicates a number of initiatives that political parties can adopt in order to enhance women's political participation.

PART 2: SUMMARY

The main factors that influence the position of women in the political life of Tajikistan, including their participation in the activity of political parties, are as follows:

- the dominant position of men in political structures that has resulted in hidden discrimination in distributing roles to men and women at decision-making levels,
- the low level of awareness of gender issues among the public,
- the lack of support from political parties and the media for giving women more access to political leadership,
- underdeveloped links between state structures and various NGOs working to increase gender equality in politics,
- the poor legislative framework for guaranteeing women's involvement in decision-making processes, specifically the lack of monitoring and enforcement mechanisms,
- the weakness, if not total absence, of training programmes for empowering women to be more involved in political life, and
- the discriminatory values and stereotypes women apply to themselves and other women, which undermines opportunities for solidarity, peer mentoring, and joint advocacy.

For gender equality to become reality for the women of Tajikistan, the equal participation of women in decision-making positions at all levels of governance and administration should become one of the main strategic priorities of the country. Excluding women from policy development and decision-making positions deprives them of the possibility to promote and advocate their interests in spheres usually dominated by men.

PART 3: RECOMMENDATIONS

1. Legal framework and regulations of the activities of political parties in Tajikistan

- a. Prevent the monopolization of power in the Parliament by reducing the threshold in elections from the present level to 3%, in order to allow more parties to win seats.
- b. Internal political party regulations should guarantee that all party members are able to participate in the internal discussions and decision-making processes.

2. Organizational structure of political parties

- a. Political party statutes should be amended to include a requirement for a party leader to not be in charge for more than two Parliamentary terms. This regulation will help ensure that internal party functions are democratic in nature and that parties will be more transparent in their decision-making.

3. Electoral process and parliamentary activities of political parties

- a. Develop a common Electoral Code of Tajikistan, which should include: providing the CCER with the authority to organize and oversee all elections in Tajikistan; add a clause to the election law, ensuring the inclusion of representatives from all political parties in all of the three election commissions;⁵⁵ allow public associations to monitor elections; and reduce interference by local executive bodies in the electoral process. Election management bodies should meet the requirements of balance, impartiality, and competence.
- b. There should be a move from the system of negative voting to positive voting: 'Negative preference voting' is a majoritarian voting procedure that is used in Tajik elections. Rather than placing a cross on the ballot

⁵⁵ The three election commissions consist of the Central Commission for Elections and Referenda (CCER), the District Election Commissions, and the Precinct Election Commissions.

paper next to the voters chosen candidate or party, the voter must cross out all of the candidates or parties the voter wishes not to elect, except the single candidate or party they do wish to elect. 'Negative voting' should be replaced by the more common majoritarian procedure, of placing a single cross on the ballot paper next to the name of the voters chosen candidate or party.

- c. Significantly reduce the sum of money demanded for the electoral deposit. Excessive monetary deposits are discriminatory because they limit the right of citizens without adequate financial resources to stand for election. It is recommended to rely more on non-monetary requirements for registration in elections.
- d. Permit citizens without higher education to stand for election.
- e. Votes should be mandatorily calculated and tabulated in the presence of at least three national observers, whom should be provided with vote calculation protocols.

4. Funding of political parties and ensuring control over their activities

- a. The state should provide financial support to parties having won at least 3% of the national vote in elections to Majlisi Oli. The system of allocating funds to political parties should promote pluralism and occur early enough in the electoral process and cycle so that the parties have equal opportunities throughout the campaign periods.
- b. Investigate the possibility of allocating state owned premises on preferential terms to all political parties. This would be a form of indirect public support or funding that the government of Tajikistan can offer to the political parties. This form of support though must be provided on the basis of equality of opportunity to all the parties and candidates of Tajikistan.
- c. The existing law on Political Parties should be amended in order to introduce an independent political finance regulator. This body should meet the requirements of impartiality and competence as well as financial and operational independence.
- d. Tajikistan needs independent monitoring and supervision of the funding of political parties and electoral campaigns. This monitoring should include independent supervision over the accounts of political parties and election campaign expenses.

5. Women's participation in political and public life

- a. Strengthening internal party democracy can serve to enhance women's participation as party members, decision makers and candidates for public office. Equal opportunities for women and men should be enshrined in all party statutes. Political parties should prioritize the development of clear and transparent nomination and selection procedures, both for recruiting women into political parties and for nominating candidates for election.
- b. Temporary special measures, such as party quotas, can be used to provide more opportunities for women. Specifically, it would be good to follow the recommendation of the NGO Coalition that at least one woman should be included in the top 5 places on the party election lists. The lists should also not be more than 70% of one gender.
- c. Political parties should increase capacity development and awareness raising initiatives to support women's political development, for example by financially supporting the establishment of women's sections or wings and building women's expertise in policy-making (to influence the development of party platforms as well as to strengthen women candidates during election campaigns).
- d. As debate on public funding for political parties proceeds, it is important to ensure that the gender dimension is discussed. Public funding can be linked to women's participation by linking access to such funding to selection and promotion of women candidates, thereby creating a direct incentive for political parties to nominate women as candidates.
- e. Women political party members should continue to explore cross-party cooperation as a means of forcing their priorities, concerns and perspectives onto party and national agendas.
- f. At the same time, other political party regulations should ensure that minority and opposition political parties have a sufficient chance to enter parliament so that the women in parliament are not only representing the ruling party.
- g. In terms of organizing election administration, there should be equal representation of women on electoral commissions as guaranteed by law.
- h. Finally, the Action Plan for the implementation of 'The National Strategy for Increasing Women's Activity in Tajikistan in 2011-2020' should be approved, and the Committee on Women and Family Affairs should hold a series of public hearings on 'The Role of Political Parties in Promoting Women to Positions in Government.'

ANNEX

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CHAPTER I. GENERAL PROVISIONS

Article 1. Citizens' right to associate into political parties Citizens' right to associate into political parties is implemented by:

- establishment of political party in accordance with their convictions
- voluntary joining political parties in case of recognition of parties' charters by enterers
- participation in political parties' activities in accordance with aims stipulated in parties' programmes, and in frames determined by parties' charters
- free secession from political parties.

Article 2. Political Party

In the conception of a political party, a public association is understood to take part in political life of the society through forming citizens' political wills, as well as exercising power through its members.

The Aims and tasks of a political party are reflected in its Charter and Programme, which are published for public information

CHAPTER II. ESTABLISHMENT AND ACTIVITIES OF POLITICAL PARTIES

Article 3. Establishment of political parties

Only republican political parties can be established in the Republic of Tajikistan. Political parties are established freely by the citizens of the

Republic of Tajikistan without any permission, in a Constituent Session (conference, assembly) which adopts the Charter and creates authorities of a party.

In order to pass state registration a political party shall submit the list of not less than one thousand supporting citizens, which are inhabitants of most cities and districts of the Republic of Tajikistan.

A party is considered as juridical person from the date of its state, registration. Following state registration a political party shall have initial organizations in most regions, cities and districts within three months.

An initiative group on political party's establishment announces, through mass media, the place and date of a Constituent Session, as well as fundamental tenets of its charter not later than one month prior to the convening Constituent Session (conference, assembly). Activities of other political parties as well as their structure are prohibited in the territory of Tajikistan.

Article 4. Limitations for establishment and activities of political parties.

Establishment and activities of political parties, objectives and activities of which are aimed to forcible overthrow of constitutional system and formation of armed groups and/or propagandizes race, national, ethnic, social and religious dissensions, are prohibited.

Political Parties and its members have no right to use religious nous in their political activities.

Establishment and activities of political parties' organization at state security, interior, justice organs, prosecutors' offices, customs office, tax organs, courts, Armed Forces of the Republic of Tajikistan, other troops, military units, as well as at the organs of government, secondary and high schools are prohibited.

Article 5. Membership in Political Parties.

Members in political parties is possible only on basis of voluntary wills of the citizens of the Republic of Tajikistan.

Judges, prosecutor, military servicemen, personnel of Interior Security organs, tax police, customs and justice as well as foreign citizens and persons without citizenship cannot be members of political parties, Political

Parties have only individually registered membership. Citizens of 18 years age can be members of political party.

Article 6. Charter of Political Party.

Charter of political party should contain the following provisions:

- 1) name, aims and tasks of the political party,
- 2) structure of the political party and its organs.
- 3) Conditions and procedures of getting and losing party membership, rights and obligations of members of political party.
- 4) Equal right of political party's members.
- 5) Compliance of activities and aims of political party with the Constitution of the Republic of Tajikistan.
- 6) Procedure of election of the leading bodies of the political party, their power, term of their duty and location of political party.
- 7) Publicity of political party's activities and its organs.
- 8) Procedures of adopting and amending party's Charter.
- 9) Properties and material means of the political party, financial resources and its economic activities.
- 10) Symbol of the party (if there is).
- 11) Procedures of cessation and organization of party's activities. ' – I political party should contain the following
- 12) settlement of debates on properties after secession of party activities,
- 13) organs of political party are elected and accountable.

Other rules, related to party's activity may be included in Charter. Adoption of the Charter, programme of political party, nomination of a candidate from the political party to the organs of state authority of the Republic of Tajikistan and settlement of other significant issues of political party's life are carried out under the decision of congress, conference and plenum, meeting or under the results of party's members voting.

Article 7. State Registration of the Political Party

State registration of the political party is carried out by the Ministry of Justice of the Republic of Tajikistan.

For the state registration of political party within one month i an application signed by person, who is authorized by constituent session (conference, meeting) of establishing party may be given to the registration body indicating legal address of the leading bodies. In addition to the Charter, minutes quotation of Constituent Session (conference, meeting) which adopted the Charter, the list of the names of not less than ten

participants of the meeting, mentioning their passport dates and addresses, one copy of mass media publication which reported the date and place of Constituent Session (conference meeting) as well as the fundamental tenets of political party's Charter bank receipt, which certifies that state custom for party registration is paid, and the list of one thousand party members in accordance with the chapter II, article 3 of this law may be attached. Registration body is not allowed to ask the party to submit other documents, not mentioned in the second part of this paragraph.

The registration body registers the political party within on month following submitting of documents. Violation of the named period is not allowed.

Amendments and changes, which are made to the Charter of political party, must be registered by the same body and within same periods of state registration of party itself. For state registration of political party, amendments and changes, which are made to its Charter, the registration custom shall be levied in accordance with rules, and taxes, which are determined by the Government of the Republic of Tajikistan.

The document which verifies state registration of the political party, as-well as its including to public associations of the state catalog is certification on state registration of the party.

Requesting any other document from the political party, which verifies state registration, is prohibited.

A political party from the date of its state registration acquires the right of a legal entity.

Article 8. Structures of Political Parties.

Local structures of the political party are found under the regulation, provided in the Charter of the political party.

Following establishment of party structure (subunit) in the district city and regions, the leading body of political party informs the local authorities in written.

Article 9. Reasons for Denial of State Registration of the Political party.

State registration of the political parties may be denied for the following reasons:

- if provisions of its Charter contradict the Constitution of the Republic of Tajikistan, this Law and Legislation of the Republic of Tajikistan.
- if Party's Charter does not comply with the requirements of article 6 of this Law;
- if requirements of article 3, par.2 and article 7, par.5 of this Law are not implemented.
- if with the same name and/or with the a same symbol the Charter of another party is registered before.
- if a legal address of a leading body of the party is out of the territory of the Republic of Tajikistan.

Grounds for rejection of the registration on political party's Charter will be given in written and it may be complained to the court.

CHARTER III. THE RIGHTS OF POLITICAL PARTIES AND FORMS OF SUPERVISION TO THEIR ACTIVITIES.

Article 10. Rights and obligation of political parties.

In according with the rules, provided by law every party has right to:

- nominate candidates for election of the President of the Republic of Tajikistan and for electoral bodies of government;
- participate in preparation and holding referendum and elections of the government bodies.
- freely proclaim information about their activities orally, in written and in other forms,
- propagandize its aims and tasks, have their program documents.
- establish its own mass media and publishing house;
- use state mass media means, including Press, Radio and Television,
- hold meetings, rallies, demonstrations and other mass measure in accordance with existing laws of the Republic of Tajikistan;
- maintain international relations with political parties and foreign political associations and support them;
- join international unions and associations;
- establish branches and representations in accordance with aim and obligations provided in its charters; conduct economic, financial and other activities under the laws of the Republic of Tajikistan and its Charter;

- make an alliance with other political parties and public associations of the Republic of Tajikistan,
- establish treaty relations.
- every year Political Parties submit a report to the Ministry of Justice on continuing their activities and their headquarter;

Article 11. Assets of the Political Parties

The following assets can be property of a political party buildings, constructions, housing fund, equipments, implements printing-house, funds and other assets, which are necessary for (I providing its activity and which are provided in Charters and law of the Republic of Tajikistan.

The assets of a political party can be used only for implementation of aims and obligations of a political party. Every year the political party proclaims an information on party's material condition.

Article 12. Political Parties' Funds

The funds of the political party derive from the following:

- introductory and membership dues, if provided in Party's Charter.
- voluntary donations;
- earnings from conducting lectures, exhibitions and other measures (under Charters);
- income from publishing activities and other activities, which are consistent to aims and obligations of the Charter
- other incomes, which are not prohibited by laws.

Article 13. Material assistance for the needs of political parties.

A political party has right to accept material support in form of property or funds from natural persons, enterprises, organizations public associations, foundations and other nongovernmental legal entities. Material support is prohibited from the following enterprises and organizations, charity and religious organizations, state enterprises and organizations as well as enterprises and organizations, which pertain to the government.

- foreign state, citizen, enterprises and organizations as well as organization and enterpriser, which pertain to the foreign countries.
- unidentified persons (without names)
- political parties, which are not united with political party, to which the material assistance is provided.

Article 14. Political party's economic activity.

In accordance with the Laws of the Republic of Tajikistan and its Charter the political party in adoption of decisions on economic issues party's personnel wages, expending financial and material reserves, is independent.

With the view of financial and material conditions creation for implementation of the charter's aims and rights, provided in article 10 of this Law, a political party has the right to establish enterprises and organizations in accordance with regulations, determined by Law of the Republic of Tajikistan.

Article 15. Governments support for Political Parties.

State authority bodies of the Republic of Tajikistan render support to the registered political party:

- providing equal access to state mass media;
- ensuring equality of opportunities for holding election campaigns.

In case of suspension of party's activities in accordance with the provisions of article 21 of this ' Law, the government support will be temporary suspended. In case of the ban on political party activities, from the date of be decision of the Supreme Court of the Republic of Tajikistan on banning party's activity, the government support will be stopped.

Article 16. Monitoring of financial activity of political party.

The leading body of the party is obliged to publish a financial report on source, amounts and expending funds, which came to party's foundations during one reporting year, as well as party's property and taxes.

Appropriate bodies of a tax department of the Republic of Tajikistan will inspect the financial report of the political party.

CHAPTER IV. PARTICIPATION OF POLITICAL PARTIES IN ELECTIONS

Article 17. Forms of parties' participation in elections.

A party participates in elections in the following ways:

- independently;
- reach pre election agreement with other political party;
- with other political parties join electoral unions;
- in compliance with electoral legislation political party has the right to:

- nominate candidates independently or on behalf of electoral unions.
- conduct pre election campaigns obeying equal conditions!
- observe election process and determine its results un stipulated procedures;
- to represent in electoral commissions;
- equal access to the state mass media as well as mass media with government participation;

Article 18. Political party's participation in the electoral unions.

Following registration of electoral unions by appropriate electoral commissions, a party, which nominates its candidate in compliance with the list of electoral union, has no right to nominate its candidates independently or in compliance with the list of another electoral union on the same level, if other condition is not provider in the agreement.

Article 19. Party's fractions in representative bodies.

Party's fractions in representative bodies are established and act in accordance with normative acts, which determine procedures of activities of these bodies.

CHAPTER V. SUSPENSION, CESSATION AND BAN ON POLITICAL PARTIES ACTIVITIES

Article 20. Suspension of political party's activity.

In case of breach of Constitution of the Republic of Tajikistan constitutional laws of the Republic of Tajikistan, Laws of the Republic of Tajikistan by a political party, as well obtaining M economical and political assistance from foreign countries, the Ministry of Justice of the Republic of Tajikistan and/or Prosecutor General of the Republic of Tajikistan will issue warning notice on cessation of illegal activity. If the party does not fulfill the requirements within 10 days, its activity may be suspended for six months by the decision of Tajikistan Supreme Court.

Article 21. Consequences of suspension of political party's activity.

In case of suspension of party's activity for the period determined in article of this law, its right as founder of mass media will be suspended and it will not be allowed to have status of the legal entity, organize rallies demonstrations and other mass measures, participate in the elections,

utilize bunks' fund, except settling account on economic activities and labor treaties (agreements), compensation of damages occurred from its activities, payment of fines.

Article 22. Cessation of political party's activity.

The activity of a political party can be ceased by the decision of the Supreme Court of the Republic of Tajikistan on the ban on is well as by its reorganization and/or liquidation.

Article 23. Grounds for a ban of a political party.

The following are the grounds of a ban of political party's activity by Tajikistan Supreme Court: – activity of political party, which prohibited by article 4, par. 1; – illegal activity of political party after the bun of its activity by the decision of Supreme Court of the Republic of Tajikistan in accordance with article 20 of this law.

Article 24. The decision on a ban on political party's activity.

The decision on banning political part's activity can be taken on the basis of Tajikistan Supreme Court decision and only on the grounds provided in article 23 of this Law. Article 25. Cessation of the activity of political party by reorganization of liquidation.

Political party's activity may be cased as a result of reorganization (merging, associating, dividing) and/or liquidation. The decision on party's reorganization will be taken by high leading body of the party.

Political party's Charter, which is constituted after the reorganization, will be registered in accordance with regulation, provided in article 7 of this Law.

A political party is liquated under its Charter and by self-dismissing way.

Article 26. Consequences of party's activity cessation.

Properties of the political party, which ceased its activity, following satisfaction of property claims, will be directed for the following purposes.

- in case of liquidation for the purposes, provided in its Charter.
- in case of a ban-according to the decision of the Supreme Court of the Republic of Tajikistan.
- in case of reorganization

- will be given to assets of a public association, which is a legal heir of the political party, which ceased its activity.

The cessation of political party's activity will be subject exclude the party from the appropriate state list of public associations, annul certification on state registration of the political party and lose of right of a legal entity.

The reform of political party regulations and legislation requires consideration of crucial issues for the development of a stable and democratic party system. These issues include, inter alia, political party financing, internal party democracy, the participation of women in political and public life, registration, and monitoring of political parties.

In partnership with the OSCE's Office for Democratic Institutions and Human Rights (OSCE/ODIHR), local experts Dr. Abdughani Mamadazimov and expert Alla Kuvatova, with the National Association of Political Scientists of Tajikistan (NAPST), led an in-depth analytical review of the issue of political party regulations and reform, raising problems currently faced by Tajikistan and proposing possible solutions.

The result is Political Party Regulations and Women's Participation in Political Life in Tajikistan, a thorough analysis of the particular problems and issues in Tajikistan's regulatory framework for political parties and political participation. Based on the results of the research and consultations of the expert authors, NAPST proposes recommendations for reform based on international and OSCE standards and good practices.

About NAPST. The National Association of Political Scientists of Tajikistan is a non-governmental organization which comprises political and social scientists and experts both from academic circles and think tanks. The Association works on the fundamental issues of political science and applied analytical studies. NAPST was founded at the Meeting of the organizing members on 18 May 1994. NAPST conducts activities in such fields as democratization of state political institutions and development of civil society, raising the level of political culture within society, and developing and strengthening international relations between Tajik political scientists and their international colleagues.

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