



Key elements of the Tajikistan peace agreement

1997 General Agreement on the Establishment of Peace and National Accord and its related protocols (1995-97)

Implementation

Commission on National Reconciliation (CNR)

The CNR is created as the mechanism to implement agreements. It is also charged with creating an atmosphere of trust and mutual forgiveness and instituting dialogue among various political forces to promote national reconciliation. The CNR is to be comprised of equal numbers of government and United Tajik Opposition (UTO) representatives and will be chaired by a UTO representative, with a government representative as deputy. It will form subcommissions on political, military, refugee and legal issues. The UN Special Representative, UNMOT and the OSCE Mission will provide assistance to the CNR. The CNR will function during the transition period between the signing of the June 1997 General Agreement and will disband after the new Parliament is convened.

UN Mission of Observers in Tajikistan (UNMOT)

The United Nations is requested to guarantee implementation of the General Agreement. UNMOT is requested to monitor implementation and to provide expert advice, consultations, and good offices at all stages.

Contact Group of Guarantor States

The governments of Afghanistan, Iran, Kazakhstan, Kyrgyz Republic, Pakistan, Russia, Turkmenistan, and Uzbekistan, who were official observers of the negotiations, are requested to act as political and moral guarantors of the General Agreement. These states – together with the UN, the OIC, and the OSCE – agree to form a Contact Group based in Dushanbe to monitor implementation and to provide expertise, consultations, and other good offices.

Additional mechanisms

Joint Commissions with equal numbers of government and UTO representatives will oversee implementation of the ceasefire and refugee return agreements. The CIS collective peacekeeping forces will assist with the ceasefire and with implementation of the military

protocol. In the early agreements, the International Committee of the Red Cross, with UNMOT, will assist with the exchange of military personnel, an important confidence-building measure. The OSCE, through its mission, will facilitate implementation of the General Agreement in areas related to human rights and establishing democratic political and legal institutions.

Political issues

The CNR will develop proposals to amend legislation on political parties, movements and the mass media. Together with the President, the CNR will develop proposals for amendments and additions to the Constitution – to be decided by national referendum – and a new law on elections.

Government reform

UTO representatives will be incorporated into the structures of Tajikistan's executive branch of government (ministries, departments, local government, judicial, and law enforcement bodies) on the basis of a 30 per cent quota.

Elections

A Central Electoral Commission will be formed for the transition period to conduct elections and a referendum on constitutional reform. UTO representatives will comprise 25 per cent of its membership. This will take place prior to the start of a new professional Parliament and a new Central Electoral Commission.

Parties and movements

The ban will be lifted on UTO political parties and movements after the second phase of the military protocol is implemented and they will function within the framework of the constitution and laws of Tajikistan.

Mass media

Bans and restrictions will be lifted after the second phase of the military protocol is implemented and the media will function within the framework of the constitution and laws of Tajikistan.



Military issues

Disarmament, demobilization, and reintegration of the UTO's armed units and reform of the government power structures will be carried out during the transition period by the President and the CNR, in close cooperation with UNMOT. Uncooperative armed units will be considered illegal and forcibly disarmed. Implementation will be coordinated by the CNR Subcommittee on Military Issues and a Joint Central Review Board with equal numbers of government and UTO representatives. The first to third stages will be completed within six months of the CNR beginning work. Constant contact will be maintained between unit commanders and joint training conducted to encourage mutual trust.

First stage Within two months of the CNR beginning work, UTO armed units will go to assembly points for registration and medical exams. Their armaments will be inventoried and placed in secure storage. Units returning from Afghanistan will enter Tajikistan without weapons. They will be accompanied by the CIS collective peacekeeping forces supervised by UNMOT and their base camps will be dismantled.

Second stage One month after the assembly process is complete, UTO armed units will be incorporated into the regular armed forces of Tajikistan as separate units and subordinated to corresponding chains of command. The UTO leadership will publicly announce that its armed units are disbanded. Units formed by local authorities (civil defence forces, etc.) will be disbanded and individual members given the opportunity to enter the Tajikistan armed services.

Third stage The Joint Review Board will determine whether individual troops are fit for further military service and make recommendations for appointments to command positions. Those who do not want to continue service or who are deemed unfit due to health, incompetence, or a criminal record prior to May 1992 will be demobilized to civilian life. People who previously held positions in Tajikistan's security services will be reinstated into their former or an equivalent position.

Fourth stage By the end of the transition period, former UTO units will be completely merged into governmental power structures. They will be sent to places of permanent assignment and quartered in separate barracks.

Refugee issues

- The government will assume the obligation to reintegrate returning refugees and internally displaced persons (IDPs) into the social and economic life of the country. This will include restoration of all rights, provision of humanitarian and financial aid, assistance with employment and housing, and return of homes and property.
- The government will not undertake criminal proceedings against returnees because of their participation in the political confrontation or war.
- A Joint Commission will address problems relating to refugees and visit regularly places where refugees and IDPs are concentrated.
- The UN, OSCE, and UNHCR are requested to provide assistance to ensure the safety of those returning voluntarily.
- Governments of the CIS states are requested to issue temporary identify documents to Tajikistani refugees and to assist the UNHCR with ensuring their safety.

Amnesty

The 'reciprocal-pardon' Act on Mutual Forgiveness will be the first political decision taken by the CNR in its initial days of work. Within a month of this act, it will issue an Amnesty Act. According to these acts:

- All prisoners of war will be released.
- The convictions of those sentenced to imprisonment for activities in the political and military confrontation from 1992 will be annulled and their conviction record erased; outstanding criminal cases will be discontinued.
- Criminal charges will not be brought against those who committed crimes against the state during the political and military confrontation.
- Persons accused of certain crimes in the Tajikistan Penal Code are not released from punishment and criminal charges.
- Anyone who uses force in the future to settle political disputes will be held responsible under the laws of Tajikistan.