



HUMAN RIGHTS IMPACT ASSESSMENT OF THE COVID-19 RESPONSE IN TAJIKISTAN

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IPHR International Partnership for Human Rights

This paper has been prepared within the framework of an initiative of International Partnership for Human Rights (IPHR) and its partners from Central Asia to monitor and document the human rights impact of governments' responses to the COVID-19 pandemic in this region. The primary focus of this initiative is the protection of the fundamental freedoms of expression, association and assembly; the rights to liberty and security and access to justice; as well as the rights of vulnerable groups. The Central Asian papers, planned to be compiled into a common, regional report when they have all been finalised, are also part of a broader IPHR initiative to assess governments' responses to the COVID-19 pandemic across the Former Soviet Union (FSU). All country reports prepared in this context are based on information and data provided by national focal points – local researchers working with IPHR – and local civil society organisations with which IPHR has been collaborating for many years, as well as on information obtained through additional research conducted by IPHR. While collecting the data we paid particular attention to rights violations that occurred exclusively in the context of restrictive measures and policies that were introduced by the local authorities in relation to the COVID-19 pandemic. However, we also documented developments related to pre-existing trends of concern that were reinforced during the pandemic.



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Table of Contents

Summary	4
Emergency and other COVID-19 response measures	5
Media freedom and freedom of expression	6
Prisons and other places of detention	11
Freedom of assembly	11
Violence against women	12
People with disabilities	12
Education	13
Health	13
Economic and financial response	17
Recommendations to the Tajikistani authorities	17

Summary

In March and April 2020, despite the rapid spread of the coronavirus across many countries of the world, the authorities in Tajikistan denied that it had spread to their country. This was in spite of media reports and social media accounts indicating that the pandemic was already progressing rapidly on a national scale. Dozens of medical doctors were reported to have died and many hospitals were filled with quarantined medical personnel and patients. A pattern of illnesses with prisoners suffering from fever and respiratory problems was reported from penitentiary institutions. Nevertheless, until 30 April, state television channels informed the public repeatedly that Tajikistan was free from COVID-19.¹ The bearers of bad news – doctors and *independent journalists* – became targets of harassment and intimidation as officials urged doctors not to refer patients for testing.

Even after authorities officially confirmed the first infections of coronavirus on 30 April, they continued to blame the media for “spreading panic” among the population through its COVID-19 reporting. Since then, the number of officially confirmed deaths has been consistently lower than civil society estimates. The website kvjtj.info, which is registered abroad, and which records cases of deaths possibly associated with COVID-19 has been blocked in Tajikistan since 11 May.

As of 18 August, according to information from the Ministry of Health and Social Protection of the Population (Ministry of Health), Tajikistan has officially registered 8131 people infected with COVID-19, 65 people have died from the virus.² However, data from Tajikistan’s Statistical Agency shows that mortality increased by 11 per cent from March to August 2020. The Statistical Agency claims that this is unrelated to the pandemic but admitted that a particularly high number of deaths were due to “respiratory pathologies or infectious diseases”.³

On 4 July 2020 President Rahmon signed new legislation regarding “false information” about the coronavirus with serious implications for freedom of expression in Tajikistan. The new legislation, which came into force on 7 July 2020, includes amendments to the Administrative Code which punish people for distributing “inaccurate” and “untruthful” information about COVID-19 through the press or through social and electronic networks with fines from 580 Tajik Somoni (TJS, approx. 50 EUR) for individuals to 11600 TJS (roughly 1000 EUR) for legal entities. Many civil society activists are concerned at the size of fines for legal entities, which could potentially jeopardize independent media and information outlets as well as civil society organisations that have a duty to inform the public of developments concerning public health in a transparent manner.

There is widespread concern that in practice, and without the establishment of an expert commission, the only information which will be considered accurate and truthful is information and statistics provided by the government. The amendments could allow users of telegram, Viber and Instagram to be prosecuted for sharing information which the state deems unreliable, as well as opening the door for monitoring of internal private correspondence. People wishing to share their experiences of COVID-19 on social media networks or journalists who quote these experiences could have to obtain an official certificate confirming the individual’s illness, or risk facing persecution for distributing false information.

1 See also <https://www.iphronline.org/mounting-evidence-of-Covid-19-tajikistan.html>

2 <http://moh.tj/?p=22251&lang=ru>

3 <https://rus.ozodi.org/a/30757379.html>

As a first consequence of the newly adopted law there are far fewer discussions about the pandemic situation in the media and social media networks and the information flow has greatly reduced. Some Tajikistani telegram channels which previously featured the latest developments of the COVID-19 situation in the country have changed their names and stopped publishing information from non-governmental sources.

Emergency and other COVID-19 response measures

Initially, the political leadership denied the existence of the pandemic in the country despite the alarming increase in deaths of patients and medical personnel with symptoms consistent with COVID-19 throughout March and April 2020. It did not impose emergency or general quarantine measures.

Doctors faced harassment and intimidation as officials urged them not to refer patients for testing. Dozens of doctors were reported to have died and many hospitals were filled with quarantined medical personnel and patients. The first cases of COVID-19 were only officially announced on 30 April 2020, when a World Health Organisation (WHO) delegation travelled to the country to investigate the health crisis.

The government introduced the following measures in an attempt to prevent the virus reaching the country:

- On 23 January, Tajikistan cancelled air links with China, in March borders with Afghanistan, Kazakhstan, Kyrgyzstan and Uzbekistan were closed, and on 20 March Tajikistan suspended all international flights. Railway connections remain open for cargo.
- The Tajik Civil Aviation Agency extended the closure of international flights until 30 June. From 1 July, flights to the UAE and Uzbekistan were resumed on international routes, but from 20 July, until the time of writing, the flights were discontinued again.
- On 18 April, collective prayers were prohibited by the Ulema Council until the situation stabilizes. This decision was adopted by the Ulema Council.
- The Ministry of Foreign Affairs reported on 11 May that, as part of the measures to prevent the spread of the virus, the legal terms pertaining to temporary stays of foreign nationals and stateless persons in Tajikistan will be automatically extended until 1 July 2020.
- On 16 April, the Dushanbe City Mayor's Office annulled the decision to hold mass events to mark Capital Day.
- On 25 April, the National Headquarters for the Prevention of COVID-19, introduced a temporary ban on the export of a number of domestic agricultural products in order to protect the food market. A temporary ban on holding mass events throughout the country, including sports and cultural events, cinema screenings and theatres, was also introduced.
- From 25 April to 10 May, "temporary holidays" were declared in all schools, preschools, colleges and secondary vocational training institutions throughout Tajikistan. On 5 May, the National Headquarters for the Prevention of COVID-19 extended the school holidays (including all educational facilities) until 16 August.

- From 27 April, the Football Federation of Tajikistan announced the suspension of all football competitions until 10 May.
- All markets, except food markets, were closed from 30 April to 10 May for disinfection. On 8 May, the Mayor of Dushanbe extended the ban on clothing markets in the capital city until 31 May. The Mayor of Dushanbe extended the closure of clothing markets, beauty salons, hairdressers, car washes and mobile phone outlets until 15 June.
- From 26 May, the Committee on Religion and Harmonisation of Traditions and Rites instructed local committee branches to prohibit weddings until 20 June.
- On 26 May, the authorities of Gorno-Badakhshan Autonomous Region introduced restrictions upon movement of people from other regions of the country, as well as from districts to the regional center.
- On 7 July 2020 new legislation entered into force regarding the spread of “false information” about the coronavirus (see chapter on “Freedom of expression and information”). The legislative amendments to the Code of Administrative Offences punish journalists, bloggers and civil activists who distribute “inaccurate” and “untruthful” information through the press, social networks “or other electronic means” about the COVID-19 pandemic with administrative detention up to 15 days or fines from 580 TJS (approx. 50 EUR) for individuals to 11 600 TJS (approx. 1000 EUR) for legal entities.
- Along with the amendments regarding the dissemination of false information, other amendments were made to the Code of Administrative Offenses regarding the “violation of the mask requirement in public places”, with fines between 116 and 290 TJS.⁴
- Amendments were also made to the Criminal Code, which sanction “unintentional infection with an infectious disease” and “spread of life-threatening diseases resulting in a mass illness”, with imprisonment for a period of two to five years and for the same actions that resulted in serious harm to health or death - from five to 10 years.⁵

Media freedom and freedom of expression

“Regardless of government pressure, the blocking of websites, the lack of access to information about the [COVID-19] pandemic and accusations of ‘insufficient patriotism’, many [journalists] carried out their duties honestly and did all they could to provide the society with information. Some of them, alas, were infected by the virus while carrying out their work,” said Umed Babakhanov, Director of the independent ASIA-Plus media holding on the eve of World Press Freedom Day this year.⁶

The situation regarding restrictions on media freedom in the context of the COVID-19 pandemic in Tajikistan follows a long-term trend of muzzling media freedom in the country. Media outlets have limited

4 According to Tajikistani human rights defenders, this amendment has no legal basis, as no regulation for a requirement to wear masks had been introduced before. According to independent sources, representatives of various state bodies carry out regular explanatory work in parks. In bazaars, however, where overcrowding takes place and most people do not wear masks, such information work is not carried out.

5 Criminal Code of the Republic of Tajikistan, Article 207, para 2 and 3

6 <https://rus.ozodi.org/a/30589100.html>

possibilities to provide information to the public on issues deemed “sensitive” by the authorities without risking reprisals; to contribute to an informed public debate through news reporting and analysis; and to influence political decision-making.

The stifling of media freedom in Tajikistan has been felt particularly keenly during the current COVID-19 pandemic. As mentioned above, throughout March and April 2020, the Tajikistani authorities repeatedly denied that the virus had spread to Tajikistan despite media reports and social media accounts indicating that the pandemic was already progressing rapidly across the country.⁷ The authorities refused to adopt a transparent approach and rebutted journalists’ questions - instead of following up on media reports about the first suspected COVID-19 cases and using the media as a tool to raise awareness and slow the spread of the virus, the authorities warned the bearers of bad news that they would be “held to account”.

The authorities in Tajikistan perceive independent journalism that promotes transparency and creates space for potentially controversial debate as a threat to their hold on power. Fear of exacerbating deep societal grievances, exposure of government wrongdoings, corruption or crime or lack of expertise, and the experience of the colour revolutions in the former Soviet space and the Arab spring have led to an increasingly authoritarian response with negative implications for media outlets, journalists and bloggers.

For further information refer to the July 2020 report “*The price of silence vs. the cost of speaking out. Media Freedom in Tajikistan*”, that was issued jointly by IPHR and Article 2019.

Access to information

In Tajikistan journalists and media outlets known for critical reporting frequently encounter obstacles to gaining access to information of public interest. This has been all the more problematic in the face of the current coronavirus pandemic.⁸

Starting in April 2020, reports increased on social media platforms and by media outlets including ASIA-Plus, Radio Ozodi, Sputnik Tadjikistana and Akhbor.com about a spike in deaths in different parts of the country resulting from, as the authorities claimed, pneumonia, tuberculosis and typhoid fever. Until 30 April the authorities maintained that the coronavirus had not spread to the country. Although they made available general information about the virus, citizens were left with pressing unanswered questions.

⁷ <https://www.iphronline.org/mounting-evidence-of-covid-19-tajikistan.html>

⁸ Article 23 of the Law on Print-Media and Other Mass Media stipulates that government agencies are obligated to swiftly provide information on issues of urgent public significance. Government agencies are also required to respond to critical or analytical journalistic materials pertaining to their remit within specific time frames. Should the agency need more time to respond, it has to notify the media outlet/ journalist within three days and specify when the information will be provided (Article 24). In practice authorities often do not adhere to these time frames. Article 23, part 5 of the Law on Print-Media and Other Mass Media stipulates that representatives of mass media have the right to lodge a complaint when government agencies fail to provide information. However, no official information is available on whether any government representatives have faced sanctions for not providing information. Civil society activists told IPHR that journalists usually refrain from lodging complaints and that no administrative or criminal case has been opened to punish the failure to respond to a request for information by the media.

When independent journalists, media outlets or civil society activists made inquiries of the authorities or tried to verify information, state officials usually did not respond or even prevented them from obtaining information.

In a letter to Sirojiddin Muhriddin, the Foreign Minister of Tajikistan, dated 30 March 2020, RFE/RL-President Jamie Fly, deplored attempts by the Tajikistani authorities to interfere with the coverage of the coronavirus situation of Radio Ozodi, its Tajik Service. “Officials with the Health Ministry, the Anti-Epidemic Commission, and your own ministry have refused to speak with Ozodi correspondents [...] and have excluded them from press briefings.”⁹

Independent media outlets and journalists targeted

Over recent months, the Tajikistani authorities have reacted aggressively to media reporting about COVID-19. On 24 April 2020, a little less than a week before the first officially confirmed cases were announced, the Ministry of Health criticized journalists for reporting cases of death with COVID-19 like symptoms. It blamed them for “escalating the situation, which leads to conflicts and distrust in the Government and the Ministry”, according to a statement posted on the Ministry’s website. It concluded that “any media outlet, private individual or reporter who publishes incorrect and false information about the coronavirus will be brought to account.”¹⁰

Even after the authorities announced the first officially confirmed infections of coronavirus, they continued to blame the media for “spreading panic” among the population because of its COVID-19 reporting.

According to the government news agency Khovar.tj, on 7 May 2020, the press centre of the Prosecutor General’s Office warned that “legal measures will be taken against anybody who sows panic in the country”.¹¹ Reportedly, the Office added that rumours about an increased number of deaths associated with COVID-19, price increases, the lack of basic foodstuffs and necessities and the closure of major interregional roads are untruthful.

The number of officially confirmed deaths has been consistently lower than civil society estimates. A website¹² registered abroad that records cases of deaths suspected to be associated with COVID-19 has been blocked in Tajikistan since 11 May, just a few days after it was launched.¹³ The website list is based on information submitted by internet users who are, among others, required to provide their personal details as well as information confirming that the deceased was likely to have been infected with the virus, such as the typical symptoms or if burials had been conducted by medical personnel instead of relatives.

For monitoring purposes the WHO defines a death due to COVID-19 as “a death resulting from a clinically compatible illness, in a probable or confirmed COVID-19 case, unless there is a clear alternative cause

9 <https://pressroom.rferl.org/a/rferl-president-jamie-fly-letter-to-tajik-minister-of-foreign-affairs-sirojiddin-muhriddin/30520646.html>

10 <https://tj.sputniknews.ru/country/20200426/1031133615/minzdrav-tajikistan-obespokoen-lozhnye-novosti-koronavirus-smi.html>

11 <https://khovar.tj/rus/2020/05/vam-ne-okazyvayut-neobhodimuyu-meditsinskuyu-pomoshh-v-aptekah-zavysheny-tseny-na-lekarstva-pozvonite-v-generalnuyu-prokuraturu-tadzhikistana/>

12 <https://kv.tj.info>

13 <https://rus.ozodi.org/a/30606373.html>

of death that cannot be related to COVID disease.”¹⁴ The civil society website attempts to record cases covered by this definition.

Physical attacks by unidentified individuals

There have been ongoing reports of physical attacks on journalists by unidentified individuals in Tajikistan. In May 2020 ASIA-Plus journalist Abdullo Gurbati (also known as Avazmad Gurbatov) was attacked twice. He alleged that the first attack was in retaliation for his video reports about Tajikistan’s response to COVID-19.

At around 9:20 p.m on 11 May 2020 two unknown men wearing medical masks attacked Gurbati and beat him near his house as he was returning from a shop. When Gurbati started shouting the men left. He reported that he sustained injuries to his head, arms and legs and suffered from backaches as a result of the attack. Gurbati immediately reported the incident to the police, but reportedly the police only began investigating the incident on 14 May at Gurbati’s insistence. On 15 May the Ministry of Internal Affairs stated on its website that a case had been opened in relation to an incident of “hooliganism”, but the attackers had not yet been identified. On 15 May Gurbati’s lawyer Abdurahmon Sharipov of the NGO Independent Centre for Human Rights Protection pointed out that Gurbati was at risk of further threats and attacks and called on the Ministry of Internal Affairs to provide him with protection.¹⁵

Gurbati recalled that the attackers were waiting for him and did not steal anything from him. He also reported having received several anonymous threats by phone and on social media in the weeks prior to the attack.¹⁶ In April a male voice *reportedly* threatened him by saying: “We’ll find you and deal with you.” Many of the anonymous callers told him he was a traitor.

Later in May Abdullo Gurbati was attacked again. On 29 May, he drove to Khuroson district in southern Tajikistan to interview people affected by recent mudflows in the area, who were housed in a temporary camp site. In the morning, soon after he arrived, Gurbati was reportedly approached by three men, who told him to stop filming or they would beat him.¹⁷ When Gurbati explained that he had the right to continue his journalistic work, the men attacked him. In a statement issued on 30 May, the Interior Ministry accused Gurbati of ignoring requests by inhabitants of the camp site not to film them and of planning to prepare “sensationalist materials”. However, Gurbati reported that he was beaten as soon as he got out of the car and “didn’t even have time to get to the camp site.”¹⁸ Gurbati lodged a complaint. Police identified the attackers and on 2 June, Khuroson District Court found three individuals guilty of petty hooliganism and fined them 580 TJS (the equivalent of approx. 50 EUR).

On 2 June, the Coalition against Torture and Impunity and other Tajikistani civil society organisations issued a statement calling on the authorities to thoroughly investigate the attacks on Gurbati.¹⁹ Regarding

14 International Guidelines for Certification and Classification (Coding) of COVID-19 as Cause of Death, based on ICD International Statistical Classification of Diseases, 16 April 2020: https://www.who.int/classifications/icd/Guidelines_Cause_of_Death_COVID-19.pdf?ua=1

15 <http://ichrptj.org/ru/blog/advokat-potreboval-ot-mvd-vzyat-izbitogo-zhurnalista-pod-gosudarstvennyuyu-zashchitu>

16 <https://asiaplustj.info/ru/news/tajikistan/incidents/20200512/kto-napal-na-zhurnalista-aziya-plyus>

17 <http://ichrptj.org/ru/blog/na-zhurnalista-snova-napali-advokat-trebuuet-ot-mvd-vzyat-ego-pod-goszashchitu>

18 <https://rus.ozodi.org/a/30649060.html>

19 <http://notorturetj.org/news/organizacii-grazhdanskogo-obshchestva-tadzhikistana-prizvali-k-tshchatelnomu-rassledovaniyu>

the 29 May incident, they pointed out that the attackers should have been charged with obstruction of the legitimate professional activities of a journalist, a more serious felony.

New legislation on coronavirus reporting curtails freedom of expression

On 4 July 2020 President Rahmon signed new legislation regarding the spread of “false information” about the coronavirus which severely curtails freedom of expression in Tajikistan. It came into force on 7 July and punishes journalists, bloggers and civil activists who distribute “inaccurate” and “untruthful” information about the COVID-19 pandemic through the press, social networks “or other electronic means”. Fines range from 580 TJS (approx. 50 EUR) for individuals to 11600 TJS (approx. 1000 EUR) for legal entities.

The changes to the Law of the Republic of Tajikistan “On Amendments and Additions to the Code of Administrative Offenses” amend Article 374 part 1 of the Administrative Code as follows: “Dissemination of false information using the media, the Internet or other telecommunication networks: The distribution of knowingly false information using the media, the Internet or other electrical communication networks in the event of the emergence and spread of diseases which are dangerous to humans, or when restrictive quarantine measures are in place, or information that is not realistic about protective measures and other measures taken to ensure the safety of the population shall be sanctioned by a fine for individuals from 10 to 20 (individual indicators) or administrative detention for a period of 10 to 15 days and for legal entities - from 150 to 200 indicators for settlements. ”

Many journalists and human rights activists are concerned that in practice – and without an expert commission to review individual cases - the only information which will be considered to be accurate and truthful will be that which is approved or issued by state bodies.

There is also concern that people wishing to share their experiences of COVID-19 on social media networks may be required to have an official certificate confirming their illness, or risk facing persecution for distributing false information. The inclusion of “other networks and electronic communication networks” could allow users of platforms such as Telegram, Viber and Instagram to be prosecuted for sharing information which the state deems unreliable, as well as opening the door for state monitoring of private correspondence.

The first effects of the adopted law became immediately visible: according to human rights defenders there are far fewer discussions about the pandemic situation in the media and social media networks and the information flow has been greatly reduced. Some Tajikistani telegram channels which provided information about the pandemic have changed their names and stopped publishing information from alternative sources.

Numerous Tajikistani civil society groups, media outlets and journalists had called on the President and the Head of the Upper Chamber of Parliament not to sign or adopt the amendments.²⁰

20 <https://asiaplustj.info/ru/news/tajikistan/power/20200623/povod-dlya-presledovaniya-emomali-rahmona-i-rustam-emomali-prizvali-ne-prinimat-popravki-k-koap>

State Communication Channels

Since May selected information on COVID-19 developments has been provided through the official media and websites of relevant ministries. The information is mainly provided in Russian and Tajik. Local State television and radio channels broadcast information about the coronavirus with sign language interpretation. The Ministry of Health has a 24-hour coronavirus hotline.

Neither the republican authorities nor the authorities of cities and districts report publicly on how international humanitarian funds are spent. The only exception is the Gorno-Badakhshan Autonomous Region, whose head reports daily on local television on such expenditure.

Prisons and other places of detention

Since March there have been increasing *reports of prisoners* suffering from respiratory illnesses.²¹ Among them are journalist *Daler Sharipov*, who was convicted to one year's imprisonment on fabricated charges in April 2020, and independent lawyer *Buzurgmehr Yorov*, who is serving a long prison sentence after being convicted on politically motivated charges.²² On 29 April, relatives of Buzurgmehr Yorov expressed their concern about the deterioration of his health and stated that he was suffering from a high fever. In an interview with Radio Ozodi on 30 April Mansurdzhon Umarov, head of the Main Department for the Implementation of Criminal Sentences of the Ministry of Justice, denied that Yorov had any health problems.

On 31 March 2020 the authorities *suspended* prison visits with the exception of lawyers' visits, but lawyers are often hesitant to see detainees in pre-trial detention for fear of infection.²³

Freedom of assembly

On 20 May 2020 Chinese workers of the "Tajikistani-Chinese Mining Company" went on strike in the town of Zarnisor in the northern Sughd region of Tajikistan. According to independent Akhbor news the workers had told "Spaces of the East" (a Chinese website) that for about eight months they had not received their salaries, and because of the spread of COVID-19, they wanted to return to their homeland. Several days before, a colleague from Henan province had died. The authorities had claimed that he had died of gastrointestinal disease, but Chinese workers believed that he had had COVID-19. They also expressed concern that several other colleagues were infected with the coronavirus but were not provided with adequate medication and proper treatment.²⁴

The protests were broken up by police. A spokesman from the Sughd Ministry of Internal Affairs told Radio Ozodi that "the policemen who arrived at the scene fired shots into the air in order to calm the rioters, with no casualties or injuries". According to the police, some protesters smashed glass doors and windows of the company building during the protests.²⁵

21 <https://www.dialog.tj/news/v-minyuste-tadzhikistana-oprovergli-sluchai-pnevmonij-sredi-zaklyuchennykh>

22 <https://www.iphronline.org/mounting-evidence-of-Covid-19-tajikistan.html>

23 <https://rus.ozodi.org/a/30519543.html>

24 <https://akhbor-rus.com/-p4537-174.htm>

25 <https://www.rferl.org/a/tajik-police-use-firearms-to-break-up-protest-by-chinese-workers/30628915.html>

However, Chinese workers told “Spaces of the East” that “police officers had beaten them with batons, and that some protesters were seriously injured”. The Tajikistani Ministry of Internal Affairs has not issued any further comments on the incident.

Violence against women

Crisis centres report that incidents of domestic violence increased during the COVID-crisis.

The Deputy Head of the women’s Crisis Centre “Gulrukhor” in the northern city of Khujand, Sabohat Bobojonova, noted that during self-isolation the number of cases of violence against women increased. In May 2020, 142 women applied to the centre in Khujand, almost three times more than in April (50 cases). The Gamkhori (Care) legal and psychological advice centre from the southern Khatlon region and the Center for Psychological Assistance in Dushanbe also reported an increase in phone calls regarding domestic violence during the pandemic.

While it is particularly difficult to establish the level of domestic violence during the pandemic, the failure of the government to publish comprehensive statistics about the issue is an ongoing concern for civil society. Many cases are never reported because societal stigma and lack of access to protection mean that often women do not report the abuse and prefer not to talk about it.²⁶

It is estimated that at least one in two women in Tajikistan have been subjected to domestic physical, psychological or economic abuse at some time in their lives by their husbands, in-law’s or other family members. The United Nation’s Human Rights Council reported in 2019 that as many as eight out of every 10 women in Tajikistan experienced domestic violence once in their lifetime.²⁷

The government’s failure to combat domestic violence effectively and ensure adequate protection to survivors of domestic violence was most recently criticized by gender experts and women’s activists at a UN Women online meeting on domestic violence in Tajikistan held on 22 June 2020.

People with disabilities

The Tajikistani government claims that all pandemic response measures are also aimed at persons with disabilities and that they have equal access to their rights.

The Ministry of Health has issued instructions “On the Response of the Social Protection System for the Period of COVID-19”, as well as an action plan on the provision of services to persons living with disabilities to guide social service institutions.²⁸

26 Cf. IPHR’s report on domestic violence in Tajikistan: “He left his footprint on my life. Domestic Violence in Tajikistan - Time to Right the Wrongs”, IPHR, March 2017, <https://iphronline.org/wp-content/uploads/2017/03/ENG-Domestic-violence-in-Taj-March-2017.pdf>

27 https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR/C/TJK/CO/3&Lang=En
<https://dhsprogram.com/publications/publication-fr341-dhs-final-reports.cfm>

28 http://moh.tj/?page_id=1202&lang=ru

A presidential decree was adopted on 11 July providing a one-off lump-sum assistance to vulnerable citizens, including persons with disabilities, of the amount of 400 TJS (34,32 EUR).

For example, the NGO Safoi Konibodom in the city of Konibodom confirmed that 576 vulnerable families with children under 3 years old received a lump-sum payment from the government.

Government information on television states that food is provided to low-income families, including persons with disabilities. According to Safoi Konibodom, between March and June, 230 citizens from poor families received food parcels from the authorities in Konibodom. Of these, approximately 30 per cent were persons with disabilities.

Local NGOs working on the rights of people with disabilities confirm that medical assistance is available, but many people with disabilities continue to have problems accessing medical institutions and treatment due to physical barriers. This fact is particularly problematic during a pandemic. Such barriers include the lack of appropriate ramps for wheel chair users, doors that are too narrow for wheel chair users, a lack of braille markings and signs, a lack of audio information, sign language interpreters and personal assistants, to name but a few.

Furthermore, people with disabilities and NGO experts working in this sphere are not included in the policy making processes and implementation of health care programmes.

Education

Authorities announced “temporary holidays” for schools on 25 April, although officials maintained at the time that Tajikistan was a “corona-free” country. Schools did not offer educational programmes online or any other educational services. The graduation ceremonies for graduates of the 9th and 11th grades of general education institutions were took place without the participation of students. Evaluations were based on students’ annual marks. The university entrance examinations were held in the first week of July.

The summer vacation ended on 31 July, the first two weeks of August were spent catching up on missed classes and regular classes resumed on 17 August. Initially, it was proposed by the school authorities that the teaching time would be reduced, and that classes would be split in three shifts in order to maintain more distance between students. But these measures were not implemented, and the schools opened as usual.

Health

The Tajikistani health authorities were heavily involved in attempts to deny that the pandemic had touched the country: on 18 April, Jamshed Shohidon, the Deputy Health Minister, claimed that the spike in pneumonia cases was caused by the exceptionally rainy weather conditions.²⁹

Reliable local sources recorded the first cases of patients exhibiting symptoms consistent with COVID-19 in the middle of March; the first death likely to be linked to the virus was recorded for early April and

29 <https://tj.sputniknews.ru/health/20200418/1031090311/Minzdrav-Tajikistan-prichina-pnevmonia.htm>

there were credible reports that several medical personnel had died by the end of April.³⁰ Medical doctors reported that officials of the Ministry of Health put pressure on them not to refer cases for testing to the Dushanbe-based laboratory – the only one in the country equipped to test for coronavirus at the time. They also stated that CT scans of many of their patients showed that their lungs looked different from the lungs of patients with ordinary pneumonia.

When independent media outlets tried to obtain information and clarification from the healthcare authorities, they often received no response from the authorities, and were not admitted to relevant press conferences (see also chapter on “Freedom of Expression”).³¹

On 21 April, 18 Tajikistani civil society organisations and independent experts sent a *letter* to the Ministry of Health urging it to ensure transparency about the epidemiological situation in the country. In her reply from 23 April the Deputy Minister of Health did not confirm any cases of COVID-19 but stated that in the first quarter of 2020 fewer cases of pneumonia (5013) had been registered than in 2019 (5792).³²

Throughout March and April hospitals appeared to have become hot spots for the outbreak and spread of illnesses with COVID-19-like symptoms. Reliable sources in Tajikistan estimated that over a thousand patients were admitted to hospitals with respiratory problems in the second half of April. According to *official figures*, 300 individuals had been hospitalized in Medical Centre No. 1 in Dushanbe with symptoms of pneumonia by end of April; 136 of them were medical personnel.³³ Medical doctors complained about the absence of clear medical procedures to protect against the virus and the lack of sufficient protective equipment and clothing. Many reported having had to buy protective equipment with their own wages. Doctors treating quarantine patients in hospitals reportedly received one set of protective clothing which they had to disinfect themselves overnight while doctors working in other medical institutions were instructed not to wear protective gear in order not to scare their patients.³⁴

Only on 30 April – on the eve of a visit from a delegation of the WHO – did the authorities confirm that there had been 15 positive tests for coronavirus in the country, 10 in the northern region of Soghd and five in Dushanbe.³⁵ At the same time, media and other reports indicated that the situation was already far more serious.

Coronavirus testing laboratories in Bokhtar, Khujand and Kulyab were only opened at the end of May. Before that, the few tests that were carried out were all sent to Dushanbe, where the only laboratory in the country was located.

A number of countries and international organisations reported that they have provided significant financial and humanitarian assistance to Tajikistan for the fight against coronavirus, but hospitals still lack medicines and personal protective equipment.

The Tajikistani authorities have been criticized by independent media and civic activists for the lack of transparency about the amount of humanitarian aid they have received.

30 <https://www.iphronline.org/mounting-evidence-of-covid-19-tajikistan.html>

31 For further information refer to the IPHR statement Tajikistan: Transparency key to building public trust on COVID-19, dated 3 April 2020 (<https://www.iphronline.org/tajikistan-transparency-key-to-building-public-trust-on-covid-19.html>).

32 IPHR Report for the Civicus Monitor, January – April 2020, <https://www.iphronline.org/tajikistan-denialism-of-covid-19-pandemic-and-continuous-threats-to-freedom-of-expression.html>

33 <https://rus.ozodi.org/a/30579581.html>

34 <https://www.iphronline.org/mounting-evidence-of-Covid-19-tajikistan.html>

35 <https://tj.sputniknews.ru/country/20200430/1031157325/tajikistan-vyyavlen-novyy-koronavirus.html>

Some doctors in remote areas of Tajikistan complain that they lack hygienic and personal protective equipment and often examine patients without protective suits. Their salaries do not allow them to buy sufficient disposable protective equipment. Meanwhile, authorities report that they have provided hospitals with everything they need to fight COVID-19.

There is no public official information about how the authorities ensure that the rights of health workers are protected from coronavirus infections.

Doctors writing anonymously on social networks also reported throughout April and May that they were forbidden to give any information about patients with coronavirus.

A video of a patient in a Khujand hospital suffering from COVID-19 uploaded to YouTube on 9 May shows her making a desperate appeal to local entrepreneurs to donate protective equipment for the hospital, as doctors would not even give her injections for fear of infection.³⁶

On 5 June 2020, President Emomali Rahmon issued a decree on the “Prevention of the Impact of COVID-19 Infectious Disease on the Socio-economic Spheres of the Republic of Tajikistan”³⁷ which provides for allowances from the state budget to supplement the official salaries of medical workers directly involved in the diagnosis and treatment of patients infected with COVID-19, a temporary exemption from customs duties on medical devices and tax exemption for medical institutions and sanatoriums. At the time of writing civil society activists were monitoring the implementation of the decree.

Despite numerous reports from reliable sources about the death of medical doctors from coronavirus infection, the Minister of Health of Tajikistan, Jamoliddin Abdullozoda, said at a press conference on 24 July that not a single doctor in the country had died from COVID-19.³⁸

On 10 June, Radio Ozodi published an official list of 10 medical workers who died in the Khatlon region from April to 22 May. The leadership of the regional health department had confirmed this information on 9 June but denied that the deceased had died from COVID-19, stressing that most of them had pneumonia. Relatives of some of the deceased doctors reported that they were buried under heightened security measures, and their relatives were quarantined.³⁹

A UN “COVID-19 Tajikistan Situation Report” stated that as of 8 June, 1,701 healthcare workers (36 per cent of total official number of infected persons) have been infected with COVID-19 since the beginning of the outbreak, including 619 medical doctors and 548 nurses.

The main reason was reported to be the lack of personal protective equipment (PPE), particularly at the beginning of the outbreak.⁴⁰

36 <https://www.youtube.com/watch?v=sbxMmqK6t5o>

37 Decree no. 1544, <http://www.president.tj/ru/node/23055>

38 <https://www.asiaplustj.info/ru/news/tajikistan/society/20200724/ministr-zdravoohraneniya-tadzhikistana-ni-odin-vrach-ne-skonchalsya-v-rezultate-zarazheniya-v-meduchrezhdeniyah-ispravleno>

39 <https://rus.ozodi.org/a/30662758.html>

40 COVID –19 Tajikistan Situation Report # 10, 9 June 2020 <https://asiaplustj.info/en/news/tajikistan/society/20200611/1701-tajik-healthcare-workers-infected-with-covid-19-as-of-june-8-since-the-beginning-of-outbreak-says-un-report>

Health care infrastructure

The COVID-19 crisis has – as in many other countries - highlighted the shortcomings in Tajikistan’s healthcare system. A recent report from Sebastien Peyrouse for IPHR “The Alarming State of the Healthcare System in Tajikistan” illustrates this fact with numerous examples.⁴¹

Tajikistan lacks a sufficient number of medical facilities to serve the 9.5 million population and where those that do exist are in poor shape. Moreover, the country has seen a significant deterioration in the number and quality of its health professionals over the last two decades. The difficult working conditions and the excessively low salaries of doctors and nurses discourage young people from entering into the medical profession, fuel pervasive corruption, and provide incentives for doctors to emigrate. Of all the states of the former Soviet Union, Tajikistan invests the least in health, only \$ 55 per capita,⁴² an amount essentially equivalent to that in Afghanistan.

The number of doctors per capita has declined since the 1990s. Today, with only *170 physicians per 100 000* people,⁴³ Tajikistan has one of the lowest ratios of doctors to citizens in Central Asia or Europe. It has approximately 444 nurses per 100 000 people, a figure far lower than that in other CIS States. Additionally, most doctors work in the capital, Dushanbe, while the provinces and rural areas in particular suffer a serious shortage of health professionals, including administrative staff.

The overwhelming majority of medical facilities were built between the 1930s and late 1970s and have deteriorated significantly since the collapse of the Soviet Union. There has been a lack of funds to modernize the old structures or build new ones. Many medical facilities have outdated or dysfunctional equipment, lack basic medicines or even a satisfactory supply of electricity, water, and heating, as well as a sewage system.

Access to medical facilities can be difficult, especially in remote or mountainous areas. Many Tajikistanis live far away from medical centers. This isolation is compounded by a faulty road system made worse in some areas by harsh winter climatic conditions, and an inadequate public transport system with poor connections to cities.⁴⁴

In emergency situations like the ongoing COVID-19 pandemic, the lack of easily accessible hospitals is particularly critical.

41 See Sebastien Peyrouse “The Alarming State of the Healthcare System in Tajikistan” (IPHR), July 2020, <https://www.iphronline.org/new-report-the-alarming-state-of-the-healthcare-system-in-tajikistan.html>

42 <https://data.worldbank.org/indicator/SH.XPD.CHEX.PC.CD?view=map>

43 https://www.euro.who.int/_data/assets/pdf_file/0007/308833/HiT-Tajikistan.pdf?ua=1&fbclid=IwAR3hKxZ31p928csjM9LU4cOiQdDCxByoXsgNmHHQ3gyIVP70ajWGHOk81P8

44 <https://rus.ozodi.org/a/29976795.html>

Economic and financial response

The presidential decree on the “Prevention of the Impact of COVID-19 Infectious Disease on the Socio-economic Spheres of the Republic of Tajikistan”⁴⁵ includes measures such as:

- deferral of property taxes for individuals from 1 May to 1 September 2020
- deferral of taxes for hotels and other tourism facilities, catering organisations, health and sports centers, sanatoriums, airplane companies and other international passenger transportation; prohibition of interest on late payments of taxes (from 1 April to 1 September 2020)
- exemption from rent for public property for small and medium-sized businesses that have suspended their activities due to the pandemic (from 1 May to 1 August 2020)
- deferral of social taxes for business entities from 1 May to 1 August 2020
- exemption from tax payments for individual entrepreneurs who work (with a trade license) in markets, shopping centres and consumer service points, including hairdressing salons, beauty salons, fashion studios and sewing services (from 1 May to 1 August 2020)

Due to the lack of publicly accessible empirical data and comprehensive independent monitoring regarding the impact and implementation of these measures, IPHR was unable to draw conclusions at the time of writing.

Recommendations to the Tajikistani authorities

Media freedom and freedom of expression

- Ensure that the media and media workers can operate free from undue State interference (Recommendation 48(b) of the UN Human Rights Committee’s 2019 Concluding Observations).
- Ensure the effective protection of independent journalists and media workers against any form of harassment and intimidation and refrain from using civil and criminal provisions and threats thereof, as a tool to suppress critical reporting on matters of public interest (Recommendation 48(g) of the UN Human Rights Committee’s 2019 Concluding Observations).
- Decriminalize insulting or libel of the President, the Leader of the Nation and other government officials by abolishing Articles 137 and 330 of the Criminal Code, in line with Recommendation 48(a) of the UN Human Rights Committee’s 2019 Concluding Observations.
- Ensure that the provisions on defamation and insult contained in the Civil Code are not used to silence journalists who are critical, or perceived as critical, of the authorities or state policies.
- Bring the constitutional guarantees for access to information into line with international standards.

45 Decree no. 1544, <http://www.president.tj/ru/node/23055>

- Review and amend the State Secrets Act in line with international standards.
- Put in place an independent complaint mechanism to receive and investigate complaints about violations of the right to access to information.
- Hold to account those officials who do not comply with the legal requirements regarding the provision of information of public interest to journalists and publish comprehensive statistics on these cases.
- Ensure that journalists are not excluded from press briefings based on their or their media outlet's reporting.

Freedom of Assembly

- Carry out effective investigations into cases of police violence during the strike of the Chinese workers on 20 May in Zarnisor to establish responsibility and punish the officers responsible, in line with the relevant international standards.
- Ensure that persons claiming to be victims of police misconduct can file a complaint to obtain redress.

Violence against women

- Criminalize all forms of violence against women, including domestic violence, marital rape and sexual assault within and outside marriage.
- Publicly and officially condemn domestic violence and make it clear that violence against women must never be tolerated.
- Ensure that all reports of violence against women are duly investigated, that perpetrators are prosecuted and that victims have access to effective reparations, including compensation.
- Immediate nationwide establishment of online counseling and telephone counseling for domestic violence survivors.
- Provide free legal aid, including for court representation, medical, psychological and psychosocial assistance, shelter, rehabilitation and reintegration programmes to all women and girls who are victims of gender-based violence, including in rural areas (the financial means for these programmes should be allocated from the state budget).

Persons with disabilities

- All medical institutions should be made accessible for people with disabilities and should be reconstructed accordingly. New buildings should to be planned barrier-free from the start.
- Providing medical institutions with the necessary adapted equipment and support facilities, including adapted couches and gynecological chairs with regulators, wheelchairs in wards, ramps and elevators according to international standards, as well as adapted barrier-free access to information such as doctor schedules and the names of services (Braille, infographics etc.)

- State institutions of social protection at the regional level should also include local independent public organisations of persons with disabilities for cooperation and involve them in the design and implementation of programs and strategies of the Ministry of Health and other state institutions.
- Professional training of interpreters of sign language for their further employment in all medical institutions of the country.
- Awareness raising campaigns among health care workers of various profiles (including gynecologists and family doctors) about disability issues, human rights, active prevention of secondary disability, elimination of stereotypes, including stereotypes about women with disabilities and motherhood, information about benefits for people with disabilities.
- Ratification of the UN Convention on the Rights of Persons with Disabilities to promote and protect the rights and interests of persons with disabilities.

Health

- Promote access to information inside Tajikistan by creating an environment where journalists, civil society activists and citizens are able to collect and disseminate information from Tajikistani medical staff, patients and their families without persecution, threats and pressure from the authorities.
- All COVID-19 related information should be communicated in a transparent, accurate and timely manner.
- Develop eHealth in Tajikistan to offset the lack of medical infrastructure, general practitioners and specialists, by providing teleconsultations especially to many vulnerable poor and isolated people who cannot easily access medical centers and qualified medical staff.
- Support and cooperate with civil society organisations.
- Support dialogue between political authorities and local stakeholders to improve communication amongst government representatives, medical staff and the population.
- Development of local, medium sized, sustainable medical structures which facilitate access to quality medical care for many vulnerable Tajikistanis and to couple the construction of new medical facilities with training of staff.
- Increase aid outside the capital by focusing on the development of medical facilities in the provinces, in particular in isolated regions which particularly lack medical facilities.
- Improve access to health facilities by improving emergency transport services and public transport connections between isolated areas and medical facilities.
- Support medical training institutes both on site and abroad and develop eLearning in the medical sector.