

**OSCE/ODIHR**  
**Election Observation Mission**  
**Republic of Tajikistan**  
**Presidential Election 2006**

21 Khalturina street, Dushanbe, Tajikistan  
tel.: +992 37 2246815, 2241949  
fax: +992 37 2241643  
email: office@odihhr.tj



---

**INTERIM REPORT No. 2**  
**30 October 2006**

**I. EXECUTIVE SUMMARY**

- The election campaign remains very low key with the ruling People's Democratic Party (PDPT), which nominated incumbent President Emomali Rakhmonov, most visible around the country.
- No signs of competitive elements in the election campaign have been observed. No incidents have been reported and only one election-related complaint filed.
- Several key issues remain unaddressed in the legal framework for the election, resulting in a lack of clarity, and leaving room for differing interpretations.
- However, the Central Commission for Elections and Referenda (CCER) adopted a number of decrees that address issues not clearly stipulated in the legislation.
- Administrative preparations for the election are effective and within deadlines prescribed by law.
- However, implementation of certain aspects of the election process lacks uniformity, e.g. preparations for early voting and inclusion/exclusion of migrant workers in the voter lists.
- The six nominees collected and presented a total of 1,5 million signatures, which is more than 47% of the total of 3,2 million voters. Some interlocutors have expressed doubts about the correctness of the signature collection process.
- The OSCE/ODIHR Election Observation Mission (EOM) will join efforts with a delegation from the OSCE Parliamentary Assembly, headed by Mr. Kimmo Kiljunen, who was appointed by the OSCE Chairman-in-Office as a Special Coordinator to lead the short-term OSCE observer mission.

**II. LEGAL FRAMEWORK**

The Presidential Election Law<sup>1</sup> (PEL) leaves aspects of the electoral process unregulated. In a welcome development, the CCER has adopted a number of decrees that address issues not clearly

---

<sup>1</sup> Constitutional Law on Elections of the President of the Republic of Tajikistan/Presidential Election Law (PEL)

stipulated in the legislation, including the Decrees #42<sup>2</sup> (related to observers) and #43<sup>3</sup> (regulating the inclusion of party representatives in the lower level election commissions) and the Training Guide<sup>4</sup> for District Election Commissions (DECs) and Precinct Election Commissions (PECs).

Despite CCER Decree #67 dated 11 October 2006, the procedure for early voting remains unclear and lower level election commissions provided different explanations to the OSCE/ODIHR EOM. This Decree stipulates that after voter lists (VL) are available for public familiarization, any voter may cast an early vote using a hand written ballot prepared by the respective PEC. The ballot shall be cast in an envelope in front of at least two members of the PEC. No security measures for the ballots cast early are prescribed in the CCER clarification. The OSCE/ODIHR EOM has also received varying explanations by lower level election commissions for the procedure of issuing certificates for the right to vote in a polling station other than that of the voter's place of registered residence (certificate for the right to vote) and the exclusion/inclusion of labour migrants in the voter lists.

At the time of writing, the CCER had not clarified several key issues of the election process, leaving these to the discretion of lower level election commissions. A number of issues, including but not limited to the process of verification of signatures, campaign finance reporting, and the mode of dealing with complaints and appeals in the CCER remain unregulated or are subject to ad-hoc verbal regulation by CCER management. Similarly, there are no detailed formal procedures for, *inter alia*, opening of polling stations, use of different language ballots, aggregation of results, and use of free air time.

Out of country voting will take place in 26 locations, 14 of which are in CIS states. The procedure for voting in out-of-country polling stations is the same as in polling stations in the Republic of Tajikistan.

### III. ELECTION ADMINISTRATION

The preparations for administering the election process are within the deadlines prescribed by law. All commission members (DEC and PEC) have been appointed, and a number of political parties<sup>5</sup> have representatives in the DECs, among which is the Party of Islamic Revival which is not fielding a candidate in this election. The OSCE/ODIHR EOM will further inquire into the composition of PECs to determine to what extent these commissions represent political plurality. Training of DEC members has taken place, and training of PEC chairpersons and secretaries is underway in most regions.

The CCER completed the printing of 3,200,000 ballot papers for the same number of voters. Ballots are printed in four languages. The distribution of ballots to DECs started on 28 October.

---

<sup>2</sup> Decree #42 "On procedure of participation of international (foreign) observers, representatives (observers) of political parties, Independent Federation of Trades Union of Tajikistan, Youth Union .... in the election of the President of the Republic of Tajikistan"

<sup>3</sup> Decree #43 "On procedure of inclusion of representatives of political parties, Independent Federation of Trades Unions of Tajikistan, Youth Union of Tajikistan .... in the composition of district electoral commissions and polling station commissions for the election of the President of the Republic of Tajikistan"

<sup>4</sup> CCER Decree #51 dated 15 September 2006, approval of the DEC/PEC Training Manual developed in co-operation with IFES.

<sup>5</sup> Peoples Democratic Party/ PDPT, Communist Party/ CPT, Economic Reform Party/ ERPT, Agrarian Party/ APT, Socialist Party/ SPT. The Islamic Revival Party/ IRPT, which is not participating in this election, also has representatives in 62 out of 68 DECs.

In line with PEL provisions<sup>6</sup> voter lists (VL) are compiled for each precinct. Aggregated data above precinct level does not exist and, consequently, checking for multiple registrations is not possible.

The PECs carried out voter registration from 2 - 22 October based on draft voter lists received from the municipal authority, the Khukumat. PEC members conducted door-to-door surveys to update and verify the VLs, which should then be publicly available for familiarization from 22 October. OSCE/ODIHR EOM observations to date indicate that VLs are available for reviewing by voters upon request. Citizens who approach the PEC after the VL is made public shall be included in a supplementary voter list. A voter may be added to the supplementary list as late as the end of voting day provided s/he is able to present a proof of adequate residence.

Labour migrants who reside outside the country are included in the VL at the precincts of their registered residence. According to the CCER, PECs mark labour migrants as presently out of the country in the notes column on the basis of door-to-door checks and compile a separate list of labour migrants. However, the purpose of this additional list is not clear. OSCE/ODIHR EOM observers noted different approaches to inclusion and marking of migrant workers on VLs in the districts.

#### **IV. CANDIDATE REGISTRATION**

In order to be registered as a presidential candidate, a nominee is required to submit signatures and personal data of 5% of the registered voters. The OSCE/ODIHR notes that this requirement places an undue burden on parties and candidates. For this election, a nominee had to submit approximately 160,000 signatures between 17 September and 7 October 2006, on forms approved by the CCER and subsequently certified by the local authorities.

According to CCER regulations<sup>7</sup>, a voter was allowed to sign for one nominee only. The CCER verified the authenticity of the signatures in a sample of the submitted forms and decided on registration within the deadline prescribed by the law<sup>8</sup>. According to the CCER, 99,551 signature entries were checked and missing data or missing signatures found in 444 cases, and apparently identical signatures in another 1,494 cases. Rules of procedure or a written set of criteria for this verification process do not exist. However, the results of this process have not negatively affected the registration of any of the candidates.

In total, the six nominees (one failed to submit the required number of signatures) submitted 1,514,117 signatures (of which over 685,000 were in support of the incumbent President Emomali Rahmonov). This amounts to over 47% out of approximately 3,2 million registered voters who provided a signature for one of the candidates. Many interlocutors of the OSCE/ODIHR EOM consider the figure of collected signatures implausible in view of the organisational efforts necessary for this large scale endeavour and the limited time provided.

---

<sup>6</sup> Articles 20 – 23

<sup>7</sup> CCER Decree # 37 dated 4 September 2006.

<sup>8</sup> Art. 26 of the PEL prescribe that registration shall be performed within 3 days after the submission of the required documents, but not later than 25 days before the election.

## V. CAMPAIGN

The campaign is very low key with little visible campaign activity. The PDPT (party of the incumbent President) is most visible with campaign activities and materials for its candidate throughout the country. The only other party with some visibility is the Communist Party (CPT) – though to a much lesser extent than the PDPT. Campaigns of other candidates are practically invisible in most areas and are limited to regional centres and the capital, Dushanbe. All candidates received 3,600 Somoni (approximately 1,000 USD) from state funds and are allowed to spend up to 100,000 Somoni (approximately 29,000 USD) from funds of their respective nominating parties for their campaign.

No signs of a competitive campaign have been observed thus far. Candidates' platforms are similar; none of the four candidates running against the incumbent provides a political alternative to President Rahmonov's program. The four candidates refrain from criticizing their main opponent or his policies and actions. Campaigning focuses on solutions to problems in a given candidate's field of particular interest, such as infrastructure, transport and communications, agriculture and education.

Differences between the parties participating in the election (the PDPT, CPT, Agrarian Party/APT, Economic Reform Party/ERPT, and the pro-government wing of the Socialist Party/SPT) are less pronounced than differences with those parties which have chosen not to contest this election (the oppositional wings of the SPT and of the Democratic Party/DPT) or considering the elections as unconstitutional (Social Democratic Party/SDPT). The oppositional Islamic Revival Party/IRPT confirmed publicly that despite not nominating a candidate, IRPT members and supporters will participate in the election administration as members of PECs and DECAs and that the party leaves it to the discretion of each member to vote or not to vote in the election.

Four candidates, along with a proxy of incumbent President and candidate Rakhmonov, have started a campaign tour through the country to attend joint public meetings arranged by the election administration. Candidates or their proxies were given the opportunity to address the audience for 5 to 15 minutes each.

The incumbent President announced on 20 October that "all candidates should have equal opportunities for carrying out their election campaign". He emphasized that the government, local authorities and law enforcement agencies should not interfere in the electoral process. In a TV broadcast at the end of Ramadan, President Rakhmonov called on the population to actively participate in the election. He stressed that the election "should be held in a transparent, open and democratic manner, and should boost the nation's unity".

## VI. THE MEDIA

On 12 October two different editions of the weekly paper *Adolat* (Justice) were published, reflecting the split in the Democratic Party (DPT). One was edited by the oppositional wing of the DPT (led by imprisoned M. Iskandarov), the other one by the pro-government wing of the DPT (led by M. Sobirov). Mr. Sobirov intends to file a law suit against the chief-editor of the oppositional *Adolat* edition for illegally publishing the newspaper. The background of this development is the recent split in the DPT and the recognition of the pro-government faction by the Minister of Justice,

which is in charge of party registration, as the new party leadership. This recognition is disputed by the oppositional wing of the DPT.

On 16 October the Minister of Communications, Said Zuvaydov, informed during a press conference in Dushanbe that five web sites ([www.centrasia.ru](http://www.centrasia.ru); [www.ferghana.ru](http://www.ferghana.ru); [www.Tajikistantimes.ru](http://www.Tajikistantimes.ru); [www.charogiruz.ru](http://www.charogiruz.ru); [www.arianastorm.com](http://www.arianastorm.com)) to which access had been blocked on 9 October and subsequently restored, had been unavailable for technical reasons to test new technology introduced by his ministry. This contradicts the previously given justification that these websites “undermine the state’s information policy”. All websites are presently accessible.

In a welcome development, compared to the last presidential election, all candidates are entitled up to 30 minutes of free airtime on state owned television, both at central or local level. Their proxies are entitled to up to 10 minutes each<sup>9</sup>. On 15 October, TVT and TV SAFINA, both state owned, started to broadcast these free airtime programs. Fourteen out of a total of 75 proxies (15 per candidate), mostly from APT, CPT and ERPT and two proxies of the incumbent president, have used their time so far. No candidate, including Emomali Rakhmonov, has used his free air time yet.

The OSCE/ODIHR EOM commenced media monitoring on 11 October. The monitored media outlets are: TVT and Safina TV (both State owned) and 10 newspapers which are published once or twice per week.<sup>10</sup> Due to the low key election campaign there is little reporting of the campaign and the tone of the coverage is mostly neutral. The total absence of negative or critical coverage is noteworthy. TV SAFINA provided almost 50% of its coverage to the PDPT, while TVT provided approximately 30% to the PDPT. Most of the state-owned newspapers (*Jumhuriat*, *Narodnaya Gazeta*, *Sadoi Mardum*) provided the majority of their coverage (around 80%) to PDPT. However, a few private newspapers, such as *Asia Plus* and *Sobitija*, appear to be more balanced in their coverage of the campaign and the candidates and parties.

Although the Media Decree of the CCER provides the right to candidates and their proxies to publish up to ten double-spaced pages on state owned newspapers, only one candidate, Mr. I. Talbakov from the CPT, used this space so far.

TV SAFINA and TVT both regularly air during prime time three different voter education spots on the significance of the upcoming election and the importance of participation in the process. In addition to this intensive “get out the vote” campaign, they also air a separate spot explaining the possibility to request mobile voting on election day for voters who are not able to come to the polling station for health reasons.

## VII. DOMESTIC AND INTERNATIONAL OBSERVERS

After the CCER Chairman, Mr. Boltuyev, had announced the extension of the deadline for accreditation as prescribed in an earlier CCER Decree, the CCER adopted Decree #69 dated 21 October 2006 to extend the deadline of accreditation of international/foreign observers from 20 to 5 days before the election. This was a positive development as it would allow reasonable time for accrediting observers by international and foreign organizations.

<sup>9</sup> Decree #48, 15 September 2006 “On the use of mass media in the election campaign of registered candidates to the post of the President of the Republic of Tajikistan and their proxies”.

<sup>10</sup> The newspapers monitored by the EOM are: *Jumhuriyat*, *Sadoi Mardum*, *Asia Plus*, *Biznes i Politika*, *Tojikiston*, *Vecherniy Dushanbe*, *Fakty i Kommentariy*, *Millat*, *Sobytiya* and *Narodnaya Gazeta*.

The PEL does not provide for non-partisan domestic observation. Article 4 regulates that institutions who have nominated candidates can register representatives to observe the election with DEC's at least 10 days before the election. International and foreign observers already accredited by the CCER include the OSCE/ODIHR EOM, Observation Mission of Commonwealth of Independent States (CIS), Shanghai Cooperation Organization (SCO), IFES, International NGO "For Fair Elections", International Group for Crisis Prevention and representatives of foreign embassies. The OSCE/ODIHR EOM met a representative of the Commonwealth of Independent States Observation Mission.

## VIII. COMPLAINTS AND APPEALS

According to Article 19 of the PEL, decisions of election commissions may be appealed to higher election commissions or courts. CCER decisions can be appealed to the Supreme Court. According to Article 12 of the PEL, the CCER forwards material and information on violations of the PEL that may entail criminal liability to the prosecutors' offices. The CCER has created a Working Group headed by Mr. Kabirov, Deputy Chairman of the CCER, to consider possible complaints. Mr. Kabirov informed the OSCE/ODIHR EOM that the CCER has verbally agreed to hear and decide upon all complaints and appeals received by CCER in formal sessions. However, of significance, this complaints procedure is not formalized by any legal document.

At the time of writing this report, according to the CCER there were no formal complaints filed with the CCER. As far as the OSCE/ODIHR EOM is aware, there were no complaints filed to prosecutors or lower level election commissions.

However, the decision of the CCER to register Mr. Gafarov as a candidate from the pro-government wing of the Socialist Party of Tajikistan is being challenged in the Supreme Court by Mr. Nazriev, the leader of the oppositional wing of the Socialist Party, who claims that Mr. Gafarov has not been properly nominated according to Article 24 of the PEL. The case is pending.

## IX. GENDER AND NATIONAL MINORITIES

No female candidate is participating in the election. Among the five registered candidates three have women among their proxies. Out of a total of 75 proxies (15 per candidate) only six are female (8%). Based on observations by OSCE/ODIHR EOM long-term observers (LTOs), participation of women in public campaign activities is very low. However, women are represented in DEC's (average 25%) and PEC's (37%). Only one candidate (SPT) addresses the elimination of gender imbalance in his program, while others refer to the increasing role of women in social life. However, no particular emphasis has been made on gender issues during the campaign so far.

All candidates stress the importance of building and maintaining tolerant inter-ethnic relations, including observing the rights of national minorities and ethno-cultural diversity.<sup>11</sup> No minority has become a particular target-group for election propaganda.

An initiative committee of Uzbek intellectuals called on the Uzbek minority and other national minorities in Tajikistan to vote for Emomali Rahmonov as a "guarantee of national peace and

---

<sup>11</sup> Tajikistan's population consists officially of 80 % Tajiks, 15.3 % Uzbeks, 1.1 % Russian and 1.1% Kyrgyz (data based on presentation provided by the Tajik representative to the 13<sup>th</sup> OSCE Economic Forum, Prague May 2005).

reconciliation”. An *Alliance of Ethnic Minorities of Tajikistan* representing smaller ethnic communities (Georgians, Kazakhs, Germans, Koreans, Tatars and Bashkirs; together 1% of all voters), held a meeting to discuss the upcoming presidential election with the goal to conduct a poll among its members to jointly vote for one particular candidate.

The CCER announced that, for the first time, the upcoming elections will feature ballot papers printed in four languages. Out of a total of 3.2 million ballots 400,000 will be printed in Uzbek, 40,000 in Russian, and 11,000 in the Kyrgyz language.

## **X. OSCE/ODIHR EOM ACTIVITIES**

The OSCE/ODIHR EOM continues to meet with government and election authorities, candidates and their representatives, political parties, civil society and media representatives. The OSCE/ODIHR EOM had to request meetings with government authorities through the Ministry of Foreign Affairs. While meetings with different ministries have taken place, meetings with the prosecutor and the Supreme Court will take place in the week before the election.

Thirteen LTOs deployed to Dushanbe, Khujand, Kurgan-Tube, Kuljab, Rasht/Garm and Khorog, are following the election process at regional and district level. The OSCE/ODIHR will deploy some 100 short-term observers (STOs) seconded by OSCE participating States who will observe the observation of voting, counting and tabulation of results. The OSCE/ODIHR long-term mission will join efforts with the OSCE Parliamentary Assembly, which will be headed by Mr. Kimmo Kiljunen, who was appointed by the OSCE Chairman-in-Office as a Special Coordinator to lead the short-term OSCE observer mission.