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GENERAL ASSEMBLY
Fifty-second session
Item 20 (b) of the preliminary list*
STRENGTHENING OF THE COORDINATION OF
HUMANITARIAN AND DISASTER RELIEF
ASSISTANCE OF THE UNITED NATIONS,
INCLUDING SPECIAL ECONOMIC ASSISTANCE:
SPECIAL ECONOMIC ASSISTANCE TO INDIVIDUAL
COUNTRIES OR REGIONS

SECURITY COUNCIL
Fifty-second year

Letter dated 1 July 1997 from the Permanent Representative
of the Russian Federation to the United Nations addressed
to the Secretary-General

I have the honour to transmit herewith the texts of the General Agreement on the Establishment of Peace and National Accord in Tajikistan (annex I), the Moscow Declaration by the President of Tajikistan, E. S. Rakhmonov, the leader of the United Tajik Opposition, S. A. Nuri, and the Special Representative of the Secretary-General of the United Nations, G. D. Merrem, (annex II) and the Protocol of Mutual Understanding between the President of Tajikistan, E. S. Rakhmonov, and the leader of the United Tajik Opposition, S. A. Nuri (annex III), all signed in Moscow on 27 June 1997.

I should be grateful if you would have this letter and its attachments circulated as a document of the General Assembly, under item 20 (b) of the preliminary list, and of the Security Council.

(Signed) S. LAVROV

* A/52/50.

Annex I

General Agreement on the Establishment of Peace and National
Accord in Tajikistan, signed in Moscow on 27 June 1997

For the purposes of achieving peace and national accord in Tajikistan and overcoming the consequences of the civil war, inter-Tajik talks on national reconciliation have been conducted from April 1994 up until the present time under the auspices of the United Nations. In the course of eight rounds of talks between delegations of the Government of Tajikistan and the United Tajik Opposition, hereinafter referred to as the Parties, six meetings between the President of Tajikistan and the leader of the United Tajik Opposition, and also three rounds of consultations between the delegations of the Parties, which took place in Almaty, Ashgabat, Bishkek, Islamabad, Kabul, Meshkhed (Islamic Republic of Iran), Moscow, Tehran and Khusdekh (Afghanistan), protocols were agreed and signed which, together with the present document, constitute the General Agreement on the Establishment of Peace and National Accord in Tajikistan (the General Agreement). It includes the following documents:

- the Protocol on the fundamental principles for establishing peace and national accord in Tajikistan of 17 August 1995 (annex I);^{*1}
- the Protocol on political questions of 18 May 1997 (annex II)² and the related Agreement between the President of Tajikistan, Emomali Sharipovich Rakhmonov, and the leader of the United Tajik Opposition, Said Abdullo Nuri, on the results of the meeting held in Moscow on 23 December 1996 (annex III);³ the Protocol on the main functions and powers of the Commission on National Reconciliation of 23 December 1996 (annex IV);⁴ the Statute of the Commission on National Reconciliation, of 21 February 1997 (annex V);⁵ the Additional Protocol to the Protocol on the main functions and powers of the Commission on National Reconciliation, of 21 February 1997 (annex VI);⁶
- the Protocol on military issues (annex VII);⁷
- the Protocol on refugees of 13 January 1997 (annex VIII);⁸
- the Protocol on the guarantees of implementation of the General Agreement on the Establishment of Peace and National Accord in Tajikistan, of 28 May 1997 (annex IX).⁹

The President of Tajikistan and the leader of the United Tajik Opposition have agreed that the signing of the present General Agreement marks the beginning of the phase of full and interconnected implementation of the agreements reached, which will put an end once and for all to the fratricidal conflict in Tajikistan, ensure mutual forgiveness and amnesty, return the

* These annexes, containing earlier agreements, have not been included here (see the relevant Security Council documents).

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refugees to their homes, and create the conditions for the democratic development of society, the holding of free elections and the restoration of the country's economy destroyed by the many years of conflict. The highest national priorities of the country are peace and the national unity of all nationals of Tajikistan, regardless of their ethnic origin, political orientation, religion or regional affiliation.

The President of Tajikistan and the leader of the United Tajik Opposition have agreed to request the Secretary-General of the United Nations to provide assistance and cooperation in the comprehensive implementation of the General Agreement. They have also agreed to request the Chairman-in-Office of the Organization for Security and Cooperation in Europe (OSCE), the Organization of the Islamic Conference (OIC) and the Governments of the guarantor States to provide cooperation in the implementation of the relevant provisions of the General Agreement.

The President of Tajikistan and the leader of the United Tajik Opposition have agreed to register the General Agreement with the United Nations Secretariat in accordance with Article 102 of the Charter of the United Nations.

(Signed) E. RAKHMONOV
President of Tajikistan

(Signed) A. NURI
Leader of the United
Tajik Opposition

(Signed) G. MERREM
Special Representative of the
Secretary-General of the
United Nations

Notes

¹ S/1995/720, annex.

² S/1997/385, annex I.

³ S/1996/1070, annex I.

⁴ Ibid., annex II.

⁵ S/1997/169, annex I.

⁶ Ibid, annex II.

⁷ S/1997/209, annex II.

⁸ S/1997/56, annex III.

⁹ S/1997/410, annex.

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Annex II

The Moscow Declaration, signed in
Moscow on 27 June 1997

We, the President of Tajikistan, E. S. Rakhmonov, the leader of the United Tajik Opposition, S. A. Nuri, and the Special Representative of the Secretary-General of the United Nations, G. D. Merrem, have signed today in Moscow the General Agreement on the Establishment of Peace and National Accord in Tajikistan. Thus, after five years of civil confrontation which became one of the most tragic pages in the centuries-long history of our country, the inter-Tajik talks on national reconciliation have been successfully concluded and the long-awaited day of the triumph of reason and hope for a peaceful future has dawned.

The President of Tajikistan and the leader of the United Tajik Opposition express their sincere gratitude to the United Nations, under the auspices and with the mediation of which the negotiating process has been proceeding for the past three years. They express their conviction that the United Nations will provide Tajikistan with assistance and cooperation in the implementation of the agreements reached.

We are grateful to the observer countries at the inter-Tajik talks - Afghanistan, the Islamic Republic of Iran, Kazakstan, Kyrgyzstan, Pakistan, the Russian Federation, Turkmenistan and Uzbekistan - for their cooperation in moving the talks forward and their all-round assistance during the years of our people's ordeal. Agreement at the international level to guarantee the implementation of the Agreement strengthens our conviction that all the obligations it contains will be implemented in full within the agreed periods.

We greatly value the role of the Organization for Security and Cooperation in Europe and the Organization of the Islamic Conference in the inter-Tajik negotiating process, and express the hope that they too will provide cooperation in the implementation of the agreements reached.

We thank the Government of the Russian Federation and President B. N. Yeltsin personally for their great contribution to the Tajik settlement and their cooperation in the successful conduct of the present meeting in Moscow.

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As we enter on the new responsible phase of giving effect to the provisions of the General Agreement, we proclaim once again our desire for the speediest possible attainment of peace and national harmony in Tajikistan.

(Signed) E. RAKHMONOV
President of Tajikistan

(Signed) A. NURI
Leader of the United
Tajik Opposition

(Signed) G. MERREM
Special Representative of the
Secretary-General of the
United Nations

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Annex III

Protocol of Mutual Understanding between the President of Tajikistan,
E. S. Rakhmonov and the leader of the United Tajik Opposition,
S. A. Nuri, signed in Moscow on 27 June 1997

The President of Tajikistan, E. S. Rakhmonov, and the leader of the United Tajik Opposition, S. A. Nuri, held a separate meeting in Moscow on 27 June 1997, to discuss issues associated with the strengthening of confidence-building measures between the Parties in the interests of advancing the process of national reconciliation in Tajikistan.

As a result of the meeting, the following agreements were reached:

- (1) To convene in Moscow by 7 July 1997 the first meeting of the Commission on National Reconciliation to discuss and transmit for consideration by the Parliament of Tajikistan the draft of the General Amnesty Act;
- (2) In implementation of the provisions of the Bishkek Memorandum of 18 May 1997 (S/1997/385, annex II) regarding solution of the problems of exchanging prisoners of war and imprisoned persons as an act of goodwill, to exchange by 15 July 1997 50 prisoners of war and 50 imprisoned persons, including all those detained since February 1997;
- (3) Firmly condemning terrorism and confirming that their positions regarding joint action to combat it remain unchanged, the Parties have agreed that they will not use the existing known facts and suspicions to discredit one another politically.

(Signed) E. S. RAKHMONOV
The President of Tajikistan

(Signed) S. A. NURI
The leader of the United
Tajik Opposition

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In the presence of:

(Signed) G. D. MERREM
The Special Representative of the Secretary-General
of the United Nations for Tajikistan

(Signed) E. M. PRIMAKOV
The Minister for Foreign Affairs
of the Russian Federation

(Signed) A. A. VELAYATI
The Minister for Foreign Affairs
of the Islamic Republic of Iran:



Security Council

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S/1997/410
28 May 1997

ORIGINAL: ENGLISH

LETTER DATED 28 MAY 1997 FROM THE PERMANENT REPRESENTATIVE OF
THE ISLAMIC REPUBLIC OF IRAN TO THE UNITED NATIONS ADDRESSED
TO THE SECRETARY-GENERAL

Upon instructions from my Government, I have the honour to enclose herewith the text of the Protocol on the Guarantees of Implementation of the General Agreement on Establishment of Peace and National Accord in Tajikistan, signed by the delegations of the Republic of Tajikistan and of the United Tajik Opposition in Tehran, on 28 May 1997.

It would be appreciated if this letter and its annex were circulated as a document of the Security Council.

(Signed) Kamal KHARRAZI
Ambassador
Permanent Representative

Annex

Protocol on the guarantees of implementation of the General Agreement on Establishment of Peace and National Accord in Tajikistan, signed at Tehran on 28 May 1997

Pursuant to the Protocol on the Main Principles of Establishment of Peace and National Accord in Tajikistan of 17 August 1995 and in order to ensure full and strict implementation of the General Agreement on Establishment of Peace and National Accord in Tajikistan (hereinafter referred to as the General Agreement), which includes as its integral parts:

- Protocol on the Main Principles of Establishment of Peace and National Accord in Tajikistan of 17 August 1995;
- Protocol on Political Issues of 18 May 1997;
- Agreement between the President of the Republic of Tajikistan, Emomali Sharipovich Rakhmonov, and the Leader of the United Tajik Opposition, Said Abdullo Nuri, based on the results of their meeting in Moscow on 23 December 1996;
- Protocol on the Main Functions and Powers of the Commission on National Reconciliation of 23 December 1996;
- Charter of the Commission on National Reconciliation of 21 February 1997;
- Additional Protocol to the Protocol on the Main Functions and Powers of the Commission on National Reconciliation of 21 February 1997;
- Protocol on Military Issues of 8 March 1997;
- Protocol on Refugee-related issues of 13 January 1997,

the delegations of the Government of the Republic of Tajikistan and of the United Tajik Opposition (UTO), in consultations with the Special Representative of the Secretary-General of the United Nations for Tajikistan and representatives of the Organization for Security and Cooperation in Europe (OSCE), the Organization of the Islamic Conference (OIC), the Islamic State of Afghanistan, the Islamic Republic of Iran, the Republic of Kazakhstan, the Kyrgyz Republic, the Islamic Republic of Pakistan, the Russian Federation, Turkmenistan and the Republic of Uzbekistan agreed as follows:

1. The good will of the Government of the Republic of Tajikistan and the Leadership of the United Tajik Opposition (hereinafter referred to as the Parties) and their commitment to achieving peace and national accord in the country shall be considered as the most important guarantees of strict implementation of the General Agreement. In this context, the material guarantees shall be deemed to be the agreements laid down in the above-mentioned Protocols and Agreements, in particular, to establish the Commission on National

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Reconciliation with equal representation of the Parties and headed by a representative of UTO; to reserve for representatives of the Opposition (UTO) thirty (30) per cent of posts in the executive power structures and twenty-five (25) per cent of seats in the Central Electoral Commission; to carry out the reintegration, disarmament and disbanding of the UTO armed units, as well as the reform of the power structures of the Republic of Tajikistan; to ensure the voluntary return, in safety and dignity, of all refugees and displaced persons to their homes; to provide amnesty for persons who took part in the civil conflict and political confrontation, as well as to lift the bans and limitations on the activities of political parties and movements that are part of UTO and on the mass media which shall function within the framework of the Constitution and effective laws of the Republic of Tajikistan, and in accordance with the norms and guarantees established in the General Agreement.

2. The Parties agreed to request the United Nations to provide guarantees of implementation of the General Agreement through possible adoption by the Security Council of the United Nations of a new mandate of the United Nations Mission of Observers in Tajikistan (UNMOT) which would take into account the successful completion of the inter-Tajik talks and might provide for monitoring of the implementation of the General Agreement by the Parties, provision of expertise, consultations and good offices at all stages of its implementation and, possibly, other functions.

3. At the request of the Parties, the Governments of the Islamic State of Afghanistan, the Islamic Republic of Iran, the Republic of Kazakhstan, the Kyrgyz Republic, the Islamic Republic of Pakistan, the Russian Federation, Turkmenistan and the Republic of Uzbekistan agreed to act as political and moral guarantors of comprehensive and strict implementation of the General Agreement by the Parties. In this connection, it may be desirable to have periodic meetings of the Ministers for Foreign Affairs of the guarantor States in Dushanbe.

4. In order to monitor the implementation of the General Agreement by the Parties and to provide them with expertise, consultations and other good offices, the guarantor States agreed to establish, for the period of the implementation of the General Agreement, a Contact Group which shall be stationed in Dushanbe and shall consist of the ambassadors of the guarantor States accredited there or of specially appointed representatives. The Contact Group shall also include the Special Representative of the Secretary-General of the United Nations for Tajikistan, the head of the OSCE mission in Tajikistan and a representative of the Organization of the Islamic Conference (OIC). With the consent of the guarantor States, OSCE and OIC, the Special Representative of the Secretary-General of the United Nations for Tajikistan shall perform the functions of the Contact Group coordinator. Besides the above-mentioned monitoring and good offices, the Contact Group shall inform the Governments of the guarantor States, the Secretary-General of the United Nations through his Special Representative for Tajikistan and the decision-making bodies of the OSCE and OIC about any violations of the General Agreement by the Parties and shall forward recommendations on the ways of ensuring compliance. The Contact Group shall begin its work in Dushanbe concurrently with the commencement of the functioning of the Commission on National Reconciliation. Rules of procedure of the Contact Group shall be established by its members within one week following the beginning of its work.

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5. OSCE, through its mission in Dushanbe, shall facilitate the implementation of the General Agreement in the areas related to the observance of human rights and the establishment of democratic political and legal institutions and processes in the Republic of Tajikistan.

The present Protocol has been executed in the Russian and English languages, both language versions being equally valid.

(Signed) T. NAZAROV
Head of the delegation
of the Republic of Tajikistan

(Signed) A. TURAJONZODAH
Head of the delegation
of the United Tajik Opposition

(Signed) Gerd MERREM
Special Representative of the
Secretary-General of the United Nations

Representative of the Organization for Security and Cooperation in Europe
[Signature illegible]

Representative of the Organization of the Islamic Conference
[Signature illegible]

For the Government of the Islamic State of Afghanistan [Signature illegible]

For the Government of the Islamic Republic of Iran [Signature illegible]

For the Government of the Republic of Kazakstan [Signature illegible]

For the Government of the Kyrgyz Republic [Signature illegible]

For the Government of the Islamic Republic of Pakistan [Signature illegible]

For the Government of the Russian Federation [Signature illegible]

For the Government of Turkmenistan [Signature illegible]

For the Government of the Republic of Uzbekistan [Signature illegible]



Security Council

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S/1997/385
20 May 1997
ENGLISH
ORIGINAL: RUSSIAN

LETTER DATED 20 MAY 1997 FROM THE PERMANENT REPRESENTATIVE
OF KYRGYZSTAN TO THE UNITED NATIONS ADDRESSED TO THE
SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit herewith the text of the Protocol on Political Questions and the Bishkek Memorandum signed at the conclusion of the inter-Tajik talks in Bishkek on 18 May 1997 (see annexes I and II).

I should be grateful if you would have this letter and its annexes circulated as a document of the Security Council.

(Signed) Z. ESHMAMBETOVA
Permanent Representative
of the Kyrgyz Republic
to the United Nations

Annex I

Protocol on Political Questions, signed in Bishkek
on 18 May 1997

In order to achieve peace and national accord in the country and in accordance with the Protocol on the fundamental principles for establishing peace and national accord in Tajikistan, of 17 August 1995, and the Agreement and Protocol on the Basic Functions and Powers of the Commission on National Reconciliation, of 23 December 1996, which was signed by the President of the Republic of Tajikistan, E. S. Rakhmonov, and the leader of the United Tajik Opposition, S. A. Nuri, the delegations of the Government of the Republic of Tajikistan and the United Tajik Opposition (hereinafter referred to as "the parties"), in implementation of instructions by the President and the leader of the United Tajik Opposition, have drawn up and adopted the Statute on the Commission on National Reconciliation, which is an integral part of this Protocol. The Agreement and Protocol of 23 December 1996, which were signed in Moscow, are also an essential part of it. The parties also reached agreement on the following basic political questions:

1. The President and the Commission on National Reconciliation shall adopt the reciprocal-pardon act as the first political decision to be taken during the initial days of the Commission's work. No later than one month after the adoption of the reciprocal-pardon act, the amnesty act shall be adopted.

2. The Central Electoral Commission on Elections and the Holding of a Referendum shall be established for a transitional period with the inclusion in its membership of 25 per cent of the representatives of the United Tajik Opposition and shall conduct the elections and referendum before the beginning of the work of the new professional Parliament and the establishment of the new Central Electoral Commission of the Republic of Tajikistan.

3. The reform of the Government shall be carried out by incorporating representatives of the United Tajik Opposition into the structures of the executive branch, including ministries, departments, local government bodies and judicial and law-enforcement bodies on the basis of a quota. The candidates put forward shall be appointed in accordance with a proposal by the United Tajik Opposition following consultations between the President and the Chairman of the Commission on National Reconciliation.

4. The bans and restrictions on activities by the political parties and movements of the United Tajik Opposition and the mass information media shall be lifted by the authorities of Tajikistan after the completion of the second phase of the implementation of the Protocol on Military Questions. The political parties and movements of the United Tajik Opposition shall function within the framework of the Constitution and the laws in force of the Republic of

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Tajikistan and in accordance with the norms and guarantees set forth in the general agreement on the establishment of peace and national accord in the country.

(Signed) E. RAKHMONOV
President of the Republic
of Tajikistan

(Signed) A. NURI
Leader of the United
Tajik Opposition

(Signed) G. MERREM
Special Representative of
the Secretary-General

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Annex II

Bishkek Memorandum, signed in Bishkek on 18 May 1997

The President of the Republic of Tajikistan, E. S. Rakhmonov, and the leader of the United Tajik Opposition, S. A. Nuri, met from 16 to 18 May 1997 in the capital of the Republic of Kyrgyzstan, Bishkek, in order to conduct an in-depth discussion of the issues being considered within the framework of the inter-Tajik talks.

The President of the Republic of Tajikistan and the leader of the United Tajik Opposition, who are committed to the highest national interests of the Tajik people, unanimously agreed that the previous negotiation process and the agreements concluded during it constitute a solid basis for bringing the political situation in the Republic to the level of peaceful, creative development. In this context, the next serious step forward was taken in solving the problems on the agenda of the inter-Tajik talks - a protocol on political questions was signed, which includes agreements on such basic issues as the adoption of the reciprocal-pardon act and the amnesty act; the inclusion of 25 per cent of the representatives of the United Tajik Opposition as members of the Central Electoral Commission for a transitional period; reforming the Government by including Opposition representatives in it on the basis of a quota; lifting the bans on activities by the political parties and movements of the United Tajik Opposition and the mass information media after the completion of the second phase in the implementation of the Protocol on Military Questions. In the context of the provisions of the Protocol on Military Questions, agreement was also reached on deploying in Dushanbe a contingent of the armed units of the United Tajik Opposition numbering 460 persons and also 40 persons to protect the members of the Commission on National Reconciliation.

The President of the Republic of Tajikistan and the leader of the United Tajik Opposition agreed in subsequent talks held in Tehran and Moscow to solve the problem of exchanging prisoners of war and imprisoned persons in all its aspects and devise an appropriate mechanism for that purpose.

The President of the Republic of Tajikistan and the leader of the United Tajik Opposition agreed that, as a result of the Bishkek meeting, the obstacles that had arisen recently in the negotiation process had been eliminated and the prerequisites for successfully continuing the talks had been met. They agreed that the Commission on National Reconciliation would begin its work immediately after the signing of the general agreement on peace and national accord in Tajikistan.

The President of the Republic of Tajikistan, E. Rakhmonov, the leader of the United Tajik Opposition, S. A. Nuri, and the Special Representative of the Secretary-General for Tajikistan, G. Merrem, expressed their profound appreciation to the President of the Kyrgyz Republic, A. Akaev, and the people

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of Kyrgyzstan for their hospitality and cordiality, the outstanding organization of the talks and the active assistance provided for their fruitful completion.

(Signed) E. RAKHMONOV
President of the Republic
of Tajikistan

(Signed) A. NURI
Leader of the United
Tajik Opposition

(Signed) G. MERREM
Special Representative of
the Secretary-General



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10 March 1997
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ORIGINAL: RUSSIAN

LETTER DATED 10 MARCH 1997 FROM THE PERMANENT REPRESENTATIVE
OF THE RUSSIAN FEDERATION TO THE UNITED NATIONS ADDRESSED TO
THE SECRETARY-GENERAL

As the representative of the State that arranged the meeting, I have the honour to transmit herewith the texts of the joint statement by the delegation of the Government of the Republic of Tajikistan and the delegation of the United Tajik Opposition on the outcome of the round of the inter-Tajik talks held in Moscow from 26 February to 8 March 1997 and the Protocol on Military Issues (see annexes).

I should be grateful if you would have the text of this letter and its annexes circulated as a document of the Security Council.

(Signed) S. LAVROV

Annex I

JOINT STATEMENT BY THE DELEGATION OF THE GOVERNMENT OF THE
REPUBLIC OF TAJIKISTAN AND THE DELEGATION OF THE UNITED
TAJIK OPPOSITION ON THE OUTCOME OF THE ROUND OF THE
INTER-TAJIK TALKS HELD IN MOSCOW FROM 26 FEBRUARY TO
8 MARCH 1997

The round of the inter-Tajik talks held under the auspices of the United Nations took place from 26 February to 8 March 1997. The delegation of the Government of the Republic of Tajikistan was headed by the Minister for Foreign Affairs, Talbak Nazarov, and the delegation of the United Tajik Opposition by the First Deputy Leader of the United Tajik Opposition, Hodja Akbar Turajonzodah. The Special Representative of the Secretary-General of the United Nations, Gerd Dietrich Merrem, served as intermediary during the talks. Observers from the Islamic State of Afghanistan, the Islamic Republic of Iran, the Republic of Kazakhstan, the Kyrgyz Republic, the Islamic Republic of Pakistan, the Russian Federation, Turkmenistan, the Republic of Uzbekistan and the Organization for Security and Cooperation in Europe (OSCE) were present at the talk.

There was a discussion of the military problems related to the reintegration, disarmament and disbandment of the armed units of the United Tajik Opposition as well as the reform of the governmental power structures of the Republic of Tajikistan. The discussion of this group of complicated issues, which are of vital importance for promoting the process of national reconciliation, constituted an important step in enhancing mutual trust. The signing of the Protocol on Military Issues that took place was a further important step on the path towards the successful completion of the inter-Tajik political dialogue.

The sides decided to hold the next round of talks beginning on 9 April 1997 in Tehran, in accordance with the kind invitation by the Government of the Islamic Republic of Iran.

The sides express their profound gratitude to the Government of the Russian Federation for its hospitality and assistance in organizing and holding the talks in Moscow. They also express their gratitude to the representatives of the observer countries and international organizations for their assistance and support during the talks.

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The delegations of the Government of the Republic of Tajikistan and the United Tajik Opposition express their sincere appreciation to the Special Representative of the Secretary-General and the staff of his mission for their efforts in achieving progress at the talks.

(Signed) T. NAZAROV
Head of the delegation of the
Government of the Republic
of Tajikistan

(Signed) A. TURAJONZODAH
Head of the delegation of the
United Tajik Opposition

(Signed) G. MERREM
Special Representative
of the Secretary-General
of the United Nations

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Annex II

PROTOCOL ON MILITARY ISSUES

In order to achieve peace and national reconciliation and form unified national armed forces and in accordance with the Protocol on the Basic Principles for Establishing Peace and National Accord in Tajikistan of 17 August 1995, the Moscow Agreements and Protocol of 23 December 1996 and the Statute of the Commission on National Reconciliation of 21 February 1997, the delegations of the Government of the Republic of Tajikistan and the United Tajik Opposition (hereinafter referred to as the Parties) have agreed on the following fundamental military issues:

I. GENERAL PROVISIONS

1. The reintegration, disarmament and disbandment of the armed units of the United Tajik Opposition as well as the reform of the governmental power structures of the Republic of Tajikistan shall be carried out during the transition period by the President of the Republic of Tajikistan and the Commission on National Reconciliation in close cooperation with the United Nations Mission of Observers in Tajikistan (UNMOT) and in accordance with the timetable set forth in paragraphs 5, 9 and 11 of this Protocol.
2. The practical implementation of the provisions of this Protocol shall be carried out by a subcommission on military issues of the Commission on National Reconciliation and also by a joint central review board established on the basis of parity.
3. The Government and the United Tajik Opposition shall exchange the necessary information concerning the reintegration of the Opposition's military units and the reform of the power structures of the Government of the Republic of Tajikistan.
4. Armed units which are not included in the information provided by the Parties shall be obliged to make themselves known to the subcommission on military issues of the Commission on National Reconciliation and provide it with the necessary information within two months from the date on which the Commission begins work. Armed units which do not cooperate in carrying out the provisions of this Protocol shall be considered illegal and shall be subject to forcible disarmament.

II. THE REINTEGRATION, DISARMAMENT AND DISBANDMENT OF THE ARMED UNITS OF THE UNITED TAJIK OPPOSITION

5. The reintegration, disarmament and disbandment of the armed units of the United Tajik Opposition shall be carried out in stages.

(a) During the first stage, the United Tajik Opposition shall assemble its armed units in the assembly points agreed upon by the Parties in the Vanj, Garm,

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Jirgatal, Komsomolabad, Kofaringan, Rushan, Tavildara and Tajikabad districts and the towns of Khorog and Magmurud in the Lenin district, where personnel shall be registered and counted and given medical examinations. At the assembly points, an inventory shall be taken of weapons, military equipment and ammunition, which shall be stored in separate, securely guarded premises. This stage shall be carried out within two months of the date on which the Commission on National Reconciliation begins its work.

(b) During this stage, the armed units of the United Tajik Opposition situated in the territory of the Islamic State of Afghanistan, shall be transferred in stages to the territory of Tajikistan to previously determined assembly points from among those specified above through the Ishkashim and Nizhny Pyanj passage points. The armed units of the United Tajik Opposition shall cross the border without weapons or ammunition. With the consent of the Afghan authorities, the subcommission on military issues of the Commission on National Reconciliation and UNMOT shall travel to the Islamic State of Afghanistan and draw up a register of the weapons and ammunition. The collective peacekeeping forces of the Commonwealth of Independent States (CIS) shall, under the supervision of UNMOT, accompany the personnel, weapons and ammunition to the assembly points, where the weapons and ammunition on the register shall be stored in separate, guarded premises. The base camps and training centres of the armed units of the United Tajik Opposition situated outside Tajikistan shall be dismantled and closed simultaneously with the transfer of the units referred to to the assembly points in the territory of Tajikistan.

(c) During the second stage, no later than one month after the assembling of the armed units of the United Tajik Opposition in the assembly points has been completed, those units shall be made into corresponding units of the regular armed forces of Tajikistan. They shall take the military oath and shall be given new uniforms, be assigned to the corresponding governmental power structures of Tajikistan in separate units and be subordinated to the corresponding chain of command. The relevant laws and military regulations of Tajikistan shall apply to them.

The leadership of the United Tajik Opposition shall publicly announce the disbandment of its armed units.

(d) During the third stage, the Joint Review Board shall certify the personnel of the reintegrated units of the United Tajik Opposition, determining, on an individual basis, fitness for further military service and the nature of such service and shall also make recommendations for appointments to command positions. Persons who do not express the wish to continue service or who are found unfit for service for reasons of health or found to be incompetent and persons having a criminal record prior to May 1992 shall be demobilized and returned to civilian life.

(e) The measures provided for in the first, second and third stages of the reintegration of the armed units of the United Tajik Opposition into the power structures of the Government of Tajikistan shall be carried out within six months of the date on which the Commission on National Reconciliation begins its work.

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(f) In the fourth stage of reintegration, the former units of the United Tajik Opposition will be completely merged with the governmental power structures. This process must be fully completed by the end of the transition period, i.e. before 1 July 1998.

6. The reintegrated units of the United Tajik Opposition shall be sent to their places of permanent assignment and quartered in separate barracks. A separate unit, the strength of which shall be determined by the President of Tajikistan and the United Tajik Opposition, shall be stationed in Dushanbe a week before the Commission on National Reconciliation begins its work.

7. Former members of the governmental power structures who were compelled to quit their posts because of the civil conflict and have expressed the wish to continue their service shall on the recommendation of the Joint Review Board be reinstated into their former or equivalent positions.

8. Persons who were members of the armed units of the United Tajik Opposition and have expressed the wish to receive military training shall be afforded equally with other nationals of Tajikistan the possibility of attending the relevant training institutions.

III. REFORM OF THE POWER STRUCTURES OF THE GOVERNMENT OF TAJIKISTAN

9. The reform of the power structures of the Government of Tajikistan shall take place on the basis of a re-evaluation of the personnel, including command personnel. This shall be conducted by the Joint Central Review Board within six months from the time when the Commission on National Reconciliation begins its work.

10. The Joint Central Review Board shall take its decisions on assignment to reserve status and reintegration into civilian life on the basis of three criteria: state of health, record of convictions prior to May 1992 and acknowledged professional unfitness.

11. Units formed by local authorities during the civil conflict (as civil defence forces, guard units, unsupervised formations, etc.) shall be disbanded within six months from the time when the Commission on National Reconciliation begins its work, and the formation of new units shall be halted. Persons expressing the wish to continue their service shall be integrated into the power structures of the Government of Tajikistan in accordance with the principles and procedures specified in paragraph 5 of the present Protocol. Members of these units not expressing the desire to continue their service, possessing a record of convictions prior to May 1992 or unfit for service on grounds of health shall be disarmed and reintegrated into civilian life.

IV. CONFIDENCE-BUILDING MEASURES

12. While the measures provided for in the present Protocol are being implemented, the Government of Tajikistan and the United Tajik Opposition shall

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comply strictly with the provisions of the Tehran agreement and prevent any attempts to destabilize the situation in Tajikistan. At all stages of the reintegration of the armed formations of the United Tajik Opposition and the reform of the governmental power structures, joint measures shall be taken to combat crime in the country. For purposes of building mutual trust during the first, second and third stages of reintegration, constant contacts shall be established and maintained at the level of unit commanders, contacts among personnel shall be organized and special measures for joint training shall be conducted.

V. THE ROLE OF INTERNATIONAL ORGANIZATIONS

13. In order to ensure the full and effective implementation of the provisions of the present Protocol, the Parties request the United Nations, through its Observer Mission in Tajikistan, to monitor the process of implementation of the agreements indicated above, and to provide expert advisory assistance and good offices at all the stages specified in the present Protocol.

T. Nazarov
Head of the delegation of the
Government of Tajikistan

A. Turajonzodah
Head of the delegation of the
United Tajik Opposition

G. Merrem
Special Representative of the
Secretary-General of the
United Nations



Security Council

Distr.
GENERAL

S/1997/169*
27 February 1997

ORIGINAL: ENGLISH

LETTER DATED 24 FEBRUARY 1997 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF THE ISLAMIC REPUBLIC OF IRAN TO
THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Upon instructions from my Government, I have the honour to enclose herewith the text of three documents signed by H.E. Mr. Imamali Rakhmonov, President of the Republic of Tajikistan, and H.E. Mr. Abdollah Nuri, Leader of the United Tajik Opposition, in the presence of the Special Representative of the Secretary-General of the United Nations, at Mashhad, Islamic Republic of Iran, on 21 February 1997.

It would be appreciated if the text of the present letter and its annexes could be circulated as a document of the Security Council.

(Signed) Majid TAKHT-RAVANCHI
Ambassador
Chargé d'affaires a.i.

* Reissued for technical reasons.

97-05736 (E) 050397

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Annex I

[Original: Russian]

Statute of the Commission on National Reconciliation

I. GENERAL PROVISIONS

1. The President of the Republic of Tajikistan, E. S. Rakhmonov, and the leader of the United Tajik Opposition, S. A. Nuri, guided by the highest interests of the peoples of Tajikistan for the purpose of achieving a stable peace and national accord in the country, have adopted a political decision to establish a Commission on National Reconciliation (hereinafter referred to as the Commission), signing an Agreement and a Protocol in Moscow on 23 December 1996.

2. The purview of the Commission includes the whole range of problems associated with national reconciliation. Its tasks shall be to implement the agreements reached in the course of the inter-Tajik talks, to promote the creation of an atmosphere of trust and mutual forgiveness and to institute a broad dialogue among the various political forces in the country with a view to restoring and strengthening civil accord in Tajikistan.

3. The Commission is a temporary body, established for the transition period. It shall cease its activity after the convening of the new Parliament and the formation of its leadership structures. The Commission on National Reconciliation shall begin its work two weeks after the signing of the Protocols on military and political issues.

II. COMPOSITION OF THE COMMISSION AND PROCEDURAL ASPECTS
OF ITS ACTIVITY

4. The members of the Commission shall be appointed on a basis of parity by the Government of the Republic of Tajikistan and the United Tajik Opposition. The Commission shall comprise 26 members. It shall be headed by a Chairman, a representative of the United Tajik Opposition, who shall have one deputy, a representative of the Government of the Republic of Tajikistan (the individual membership of the Commission shall be announced 10 days before the Commission starts work). The leaders and members of the Commission shall work full-time, and may not be removed by the parties, except in circumstances which make it impossible for them to discharge their duties.

5. The Commission shall comprise four subcommissions:

(a) On political issues;

(b) On military issues;

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(c) On refugee issues;

(d) On legal issues.

The Commission shall have the right where necessary to disband or combine subcommissions or establish new ones. Each subcommission shall elect its chairman, with two subcommissions being headed by representatives of the Government and two by representatives of the United Tajik Opposition. The Commission shall where necessary create working bodies - expert groups, a press service and others. The joint commissions established in the course of the inter-Tajik talks shall become working bodies of the Commission.

6. The quorum for meetings of the Commission shall be two thirds of its membership. Substantive issues shall be decided by consensus. Should this method prove inconclusive after 10 meetings, the procedure for deciding on the substantive issue shall thereafter be taken by the Chairman of the Commission. Procedural issues shall be decided by simple majority. Decisions adopted by the Chairman and the Commission on issues of national reconciliation shall be binding on the authorities.

III. FUNCTIONS AND POWERS OF THE COMMISSION

7. The Commission shall have the following functions and powers:

Devising a monitoring mechanism and monitoring compliance by the parties with the agreements on the establishment of peace and national accord in the country jointly with the other organs established for that purpose;

Implementing measures for the safe and appropriate return of the refugees and their active involvement in the social, political and economic life of the country, and provision of assistance in reconstruction of the housing and industrial and agricultural facilities destroyed by the war;

Developing proposals for amending the legislation on the functioning of political parties and movements and the mass media.

During the transition period, the President and Commission on National Reconciliation will exercise the following functions and powers:

Submission to a nationwide referendum of proposals for amendments and additions to the existing Constitution;

Preparation and submission for approval by Parliament, and if necessary also by a nationwide referendum, of a new law on elections to Parliament and the local representative bodies;

Establishment for the transition period of a Central Electoral Commission on the Elections and the Conduct of the Referendum;

Reform of the Government - inclusion of representatives of the opposition (UTO) in the structures of executive authority (members of the government),

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including ministries, departments, local authorities, judicial bodies and law enforcement agencies, taking the regional principle into account;

Guidance and monitoring of the disbandment, disarming and reintegration of the armed units of the opposition armed forces and conduct of activities to reform the authorities responsible for the maintenance of law and order and the agencies of the Office of the Public Prosecutor;

Monitoring of the conduct of a full exchange of prisoners of war and other prisoners and the release of forcibly detained persons;

Adoption of a Reciprocal Pardon Act and drafting of an Amnesty Act to be adopted by the Parliament and the Commission on National Reconciliation;

Submission for consideration by Parliament of proposals regarding the date for the holding of elections to a new professional Parliament, to be monitored by the United Nations and the Organization for Security and Cooperation in Europe (OSCE), with the participation of the observer countries at the inter-Tajik talks.

IV. GUARANTEES OF SECURITY

8. The members of the Commission shall possess immunity. The Government of the Republic of Tajikistan and the United Tajik Opposition guarantee the security and immunity of members of the Commission in the discharge of their duties and in their free time. The members of the Commission may not be detained, arrested or tried for actions committed prior to their appointment to the Commission or for actions in connection with the discharge of their duties. The Government of the Republic of Tajikistan guarantees the inviolability of the office and residential accommodation in which the members of the Commission and their families will work and live.

In order to ensure the security of members of the Commission and their families, a special unit with a strength of up to 80 personnel comprising representatives of the Government and UTO, on a basis of parity, shall be established by the Government within the Ministry of Security.

V. LOCATION OF THE COMMISSION

9. The Commission shall be located in the capital of the Republic, Dushanbe.

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VI. MATERIAL AND TECHNICAL SUPPORT FOR THE WORK
OF THE COMMISSION

10. Expenses associated with the maintenance and work of the Commission (salaries, communications, transportation) shall be financed out of the State budget, special provision being made for this purpose.

VII. PROCEDURE FOR PUBLICIZING THE WORK OF THE COMMISSION

11. For purposes of facilitating the process of national reconciliation and creating an atmosphere of trust and mutual understanding, the press service of the Commission shall conduct press conferences and briefings and issue press releases and bulletins. The mass media of the Government of the Republic of Tajikistan and the United Tajik Opposition shall regularly publicize the work of the Commission.

VIII. THE ROLE OF THE UNITED NATIONS AND OSCE IN PROMOTING
THE WORK OF THE COMMISSION

12. In accordance with the Protocol signed in Moscow on 23 December 1996 by the President of the Republic of Tajikistan and the leader of the United Tajik Opposition, the work of the Commission shall be conducted in close cooperation with the United Nations Observer Mission and the OSCE Mission in Tajikistan. The Special Representative of the Secretary-General of the United Nations and the United Nations Observer Mission in Tajikistan shall render advisory assistance to the work of the Commission, and also such other assistance as may be provided for in its possible future mandates. Decisions of the Commission on issues related to the activity of the United Nations Observer Mission in Tajikistan shall be taken in consultation with the Special Representative of the Secretary-General.

(Signed) E. RAKHMONOV
President of the Republic
of Tajikistan

(Signed) S. A. NURI
Leader of the United Tajik
Opposition

(Signed) G. MERREM
Special Representative of the
Secretary-General of the
United Nations

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Annex II

[Original: Russian]

Additional Protocol to the Protocol on the main
functions and powers of the Commission on
National Reconciliation

In the light of the problems which have arisen in the negotiations, and in order to ensure that the Commission on National Reconciliation starts to function as quickly as possible, the President of the Republic of Tajikistan, E. S. Rakhmonov, and the leader of the United Tajik Opposition (UTO), S. A. Nuri, following their meeting in Mashhad in the Islamic Republic of Iran on 20 and 21 February 1997, have decided as follows:

1. The words "in proportion to the representation of the parties in the Commission on National Reconciliation" shall be omitted from the paragraph dealing with reform of the Government in the Protocol on the main functions and powers of the Commission on National Reconciliation dated 23 December 1996 (page 2).

2. Thirty per cent of positions in executive structures, including ministries, departments, local authorities, and judicial bodies and law-enforcement agencies, shall be assigned to representatives of UTO, the regional principle being taken into account.

3. The phrase "development of a mechanism for converting the military-political movements into political parties" in the Protocol on the main functions and powers of the Commission on National Reconciliation dated 23 December 1996 shall be deemed null and void from the date of signing of the Protocol on Military Issues, since this matter will be discussed under the heading of military issues.

Mashhad

21 February 1997

(Signed) E. S. RAKHMONOV
President of the Republic
of Tajikistan

(Signed) S. A. NURI
Leader of the United Tajik
Opposition

(Signed) G. D. MERREM
Special Representative of the
Secretary-General of the
United Nations

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Annex III

[Original: English]

Joint communiqué, issued at Mashhad, Islamic Republic of
Iran, on 21 February 1997

We, Imamali Rakhmonov, the President of the Republic of Tajikistan, and Seyed Abdollah Nuri, Leader of the United Tajik Opposition, met in the city of Mashhad, Islamic Republic of Iran, on 20 and 21 February 1997 and discussed various issues relating to recent incidents in our country, Tajikistan. Following the signing of the Moscow Agreement and the establishment of the Commission on National Reconciliation, we came to realize that the enemies of peace and stability in Tajikistan are striving to impede its implementation. For, regrettably, there still exist individuals whose interests are served more in war than in peace. Taking the representatives of international organizations, government employees, members of the opposition and correspondents hostage as well as acts of terrorism carried out by the Rezvan Sodirov Group are instances of such reprehensible acts which have damaged the credibility of our State, nation and Government. In the light of the fact that no individual or group should violate the inalienable rights of human beings, we condemn such acts.

Today, once again we address ourselves to the world and to our own nation and hereby announce that the Government of Tajikistan and the United Tajik Opposition condemn the hostage taking and terrorism in whatever form it is manifested, and undertake to do our utmost to prevent the recurrence of such acts that may impede the efforts of the Commission on National Reconciliation. We hope that the Commission on National Reconciliation, along with the President and all government officials of Tajikistan, would soon restore the country to the conditions we wish for and that the independent Republic of Tajikistan would gain fame as one of the peace-loving countries. We invite all our dear compatriots, irrespective of their political views, to gain a clear understanding of our efforts in this respect and to assist us wholeheartedly.

Imamali RAKHMONOV
President
Republic of Tajikistan

Seyed Abdollah NURI
Leader
United Tajik Opposition



Security Council

Distr.
GENERAL

S/1996/1070
27 December 1996
ENGLISH
ORIGINAL: RUSSIAN

LETTER DATED 24 DECEMBER 1996 FROM THE PERMANENT REPRESENTATIVE
OF THE RUSSIAN FEDERATION TO THE UNITED NATIONS ADDRESSED TO THE
SECRETARY-GENERAL

As the representative of the State which organized the meeting, I have the honour to transmit the texts of the Agreement between the President of the Republic of Tajikistan, E. S. Rakhmonov, and the leader of the United Tajik Opposition, S. A. Nuri, on the results of the meeting held in Moscow on 23 December 1996, and of the Protocol on the basic functions and powers of the Commission on National Reconciliation (see attachments).

I should be grateful if you would have this letter and its attachments circulated as a document of the Security Council.

(Signed) S. LAVROV

Annex I

Agreement between the President of the Republic of Tajikistan,
E. S. Rakhmonov, and the leader of the United Tajik Opposition,
S. A. Nuri, on the results of the meeting held in Moscow on
23 December 1996

The President of the Republic of Tajikistan, Emomali Sharipovich Rakhmonov, and the leader of the United Tajik Opposition, Said Abdullo Nuri, understanding the ruinous nature of the military and political confrontation and aware of the high responsibility for the future of the Tajik people and State, having met in Moscow on 23 December 1996, have agreed as follows:

The inter-Tajik talks and the implementation of the agreements reached during them must be completed within 12 to 18 months from the date of signature of the present Agreement;

Bearing in mind that the signature of the present Agreement marks the beginning of a qualitatively new phase in the attainment of peace and national accord, they have taken the policy decision to establish for the above-mentioned transition period a Commission on National Reconciliation. A representative of the Tajik opposition will serve as Chairman of the Commission. The delegations to the talks are instructed to determine in the course of the next round, which is to begin in Tehran on 5 January 1997, the quantitative and personal composition of the Commission and its specific functions and powers;

There is a need to implement a universal amnesty and reciprocal pardoning of persons who took part in the military and political confrontation from 1992 up to the time of adoption of the Amnesty Act;

To conduct within the shortest possible time a full exchange of prisoners of war and other prisoners. They requested the United Nations Mission of Observers in Tajikistan and the International Committee of the Red Cross to extend the necessary assistance for the conduct of this humanitarian activity;

From the date of signature of the present Agreement, to proclaim a ceasefire and the cessation of other hostile activities for the entire period of the inter-Tajik talks;

For the purposes of establishing peace in the country, they have given instructions to the delegations to the talks to conclude them by 1 July 1997 through the signature of the documents provided for in the Protocol on the fundamental principles for establishing peace and national accord in Tajikistan of 17 August 1995.

The President of the Republic of Tajikistan and the leader of the United Tajik Opposition express their gratitude to the representatives of the Russian Federation, the Islamic Republic of Iran, the Islamic State of Afghanistan, the other observer States at the inter-Tajik talks and the Secretary-General of the United Nations, Mr. B. Boutros-Ghali and his Special Representative,

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Mr. G. Merrem, for their hospitality and their cooperation in organizing the meeting in Moscow.

(Signed) Emomali Sharipovich RAKHMONOV
President of the Republic of
Tajikistan

(Signed) Said Abdullo NURI
Leader of the United Tajik
Opposition

(Signed) G. MERREM
Special Representative of the
United Nations Secretary-General
in Tajikistan

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Annex II

Protocol on the main functions and powers of the
Commission on National Reconciliation

In connection with the beginning of a qualitatively new phase in the attainment of peace and national accord in Tajikistan and in accordance with the Agreement between the President of the Republic of Tajikistan, E. S. Rakhmonov, and the leader of the United Tajik Opposition, S. A. Nuri, the parties have taken the decision to establish for the transition period a Commission on National Reconciliation.

The main purposes of the Commission are the attainment of national reconciliation through the implementation of the agreements reached in the course of the inter-Tajik talks, the creation of an atmosphere of trust and mutual forgiveness, and the institution of a broad dialogue among the various political forces in the country in the interests of the restoration and strengthening of civil accord in Tajikistan.

For these purposes, the Commission is assigned the tasks of:

Devising a monitoring mechanism and monitoring compliance by the Parties with the agreements on the establishment of peace and national accord in the country jointly with the other organs established for that purpose;

Implementing measures for the safe and appropriate return of the refugees, their active involvement in the social, political and economic life of the country and the provision of assistance in reconstruction of the housing and industrial and agricultural facilities destroyed by the war;

Developing proposals for amending the legislation on the functioning of political parties and movements and the mass media.

During the transition period the President and the Commission on National Reconciliation will exercise the following functions and powers:

Submission to a nationwide referendum of proposals for amendments and additions to the existing Constitution;

Preparation and submission for approval by Parliament, and if necessary also by a nationwide referendum, of a new law on elections to Parliament and the local representative bodies;

Establishment for the transition period of a Central Commission on Elections and the Conduct of the Referendum;

Reform of the Government - inclusion of representatives of the opposition (the United Tajik Opposition) in the structures of executive authority, including ministries, departments, local authorities, judicial bodies and law enforcement agencies, in proportion to the representation of the parties in the

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Commission on National Reconciliation and taking into account the regional principle;

Guidance and monitoring of the disbandment, disarmament and reintegration of the armed units of the opposition, and conduct of activities to reform the authorities responsible for the maintenance of law and order and the agencies of the Office of the Public Prosecutor;

Monitoring of the conduct of a full exchange of prisoners of war, other prisoners and forcibly detained persons;

Adoption of a Reciprocal Pardon Act and drafting of an Amnesty Act to be adopted by Parliament and the Commission on National Reconciliation;

Development of a mechanism for converting the military-political movements into political parties;

Submission for consideration by Parliament of proposals regarding the date for the holding of elections to a new professional Parliament, to be monitored by the United Nations and the Organization for Security and Cooperation in Europe (OSCE), with the participation of the observer countries at the inter-Tajik talks.

Decisions adopted by the President and the Commission regarding issues of national reconciliation shall be binding on the authorities.

The activities of the Commission on National Reconciliation shall be conducted in close cooperation with the United Nations Mission of Observers and the OSCE Mission in Tajikistan.

The Commission on National Reconciliation shall cease its activities after the convening of the new Parliament and the establishment of its authorities.

The present Protocol forms an integral part of the Agreement signed in Moscow on 23 December 1996 by E. S. Rakhmonov, S. A. Nuri and G. D. Merrem.

(Signed) E. S. RAKHMONOV
President of the Republic of
Tajikistan

(Signed) S. A. NURI
Leader of the United Tajik
Opposition

(Signed) G. D. MERREM
Special Representative of the
United Nations Secretary-General
in Tajikistan

23 December 1996

Annex I

Joint statement issued by the President of Tajikistan
and the leader of the United Tajik Opposition

We, having met on 10 and 11 December 1996 in northern Afghanistan, have agreed, in the presence of the President of the Islamic State of Afghanistan, Professor Burhanuddin Rabbani and the Special Representative of the Secretary-General of the United Nations for Tajikistan, Mr. G. D. Merrem, to meet on 19 December 1996 in Moscow. The aim of the meeting will be to resolve issues related to the Tajiks' fate through negotiation and consolidation in order to get our suffering people out of their deep difficulties and to achieve national reconciliation in the country. To that end, we are concluding an agreement proclaiming the establishment of a council on national reconciliation. Meanwhile, we express our intention to announce a ceasefire for the entire period of the inter-Tajik talks.

During our meeting in Afghanistan we also signed a protocol aimed at halting the fighting as well as restoring the work of the hukumats (executive committees) and official structures in the Karategin and Tavildara areas.

We hope that the documents prepared by us will define the most appropriate way towards national accord and mutual confidence and lay the ground for achieving the essential purposes of the nation. There is nothing better than mutual confidence for achieving our goal.

We request the United Nations Secretary-General to recommend to the Security Council that it extend the mandate of the United Nations Mission of Observers in Tajikistan.

We express our sincere gratitude to the President of the Islamic State of Afghanistan, Professor Burhanuddin Rabbani, the Special Representative of the Secretary-General of the United Nations for Tajikistan, Mr. Gerd Merrem, and the Governments of the Russian Federation, the Islamic Republic of Iran and all observer States at the inter-Tajik talks for their efforts in arranging this meeting.

(Signed) Emomali Sharipovich RAKHMONOV
President of the Republic
of Tajikistan

(Signed) Said Abdullo NURI
Leader of the United
Tajik Opposition

(Signed) Gerd Dietrich MERREM
Special Representative of the Secretary-General
of the United Nations for Tajikistan

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Annex II

[Original: Russian]

Protocol on settlement of the military and political situation
in the areas of confrontation, signed in northern Afghanistan
on 11 December 1996

The President of the Republic of Tajikistan, Mr. Emomali S. Rakhmonov, and the leader of the United Tajik Opposition, Mr. S. Abdullo Nuri, condemn the recent marked deterioration in the military and political situation in the Karategin Valley and Tavildara areas of the Republic on the eve of their Moscow meeting, and have agreed as follows:

1. Before the signing of the Agreement in Moscow, to halt all military action starting at 00 hours on 12 December 1996;

2. The parties shall withdraw their armed units and formations from the Dushanbe-Khorog highway. Towards Tavildara, they shall establish their posts respectively on both sides of the Karanak pass (the government post in sector N1 and the opposition post in the village of Saridasht). They request the United Nations Mission of Observers in Tajikistan to assign representatives to these posts as observers. Simultaneously, the armed formations of the United Tajik Opposition shall withdraw from the centre of Tavildara to the village of Dashti-Sher. The government forces shall remain on the summit of the Khaburobot pass and in the Labi-Djar locality;

3. The parties shall remove their armed posts on the Dushanbe-Jirgatal highway. The United Tajik Opposition shall withdraw its armed formations from the regional centres of Komsomolabad, Garm, Tajikabad and Jirgatal. The Ministry of Internal Affairs battalion shall remain at Garm at the location where it was previously stationed;

4. As a confidence-building measure, the United Tajik Opposition shall release the military personnel of the government forces taken prisoner or hostage in the course of the recent events in the Tavildara, Komsomolabad, Garm, Tajikabad and Jirgatal regions. The United Nations Mission of Observers in Tajikistan and the International Committee of the Red Cross shall be requested to assist in the conduct of this humanitarian action;

5. For purposes of preventing valuables, weapons, narcotic substances and other items prevented by law from being smuggled in and out, a customs control post shall be established on the border between the Jirgatal region and the Republic of Kyrgyzstan, and also, by the forces of the Government and the United Tajik Opposition, a joint border post;

6. The functioning of the lawful authorities in the territory of Tavildara, Komsomolabad, Garm, Tajikabad and Jirgatal regions shall be restored. In selecting and deploying troops and offices of the organs responsible for internal affairs, preference shall be given to local professionally trained

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personnel. The United Tajik Opposition accepts and will not impede the normal functioning of the structures of power;

7. Monitoring of the application of the present Protocol shall be the responsibility of the Joint Commission. The United Nations Mission of Observers in Tajikistan shall be requested to assist in this respect;

8. The Protocol shall enter into force at the time of its signature.

(Signed) Emomali Sharipovich RAKHMONOV
President of the Republic
of Tajikistan

(Signed) Said Abdullo NURI
Leader of the United
Tajik Opposition

(Signed) Gerd Dietrich MERREM
Special Representative of the Secretary-General
of the United Nations for Tajikistan

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Annex III

[Original: Russian]

Protocol on refugees, signed in Tehran on 13 January 1997

With a view to overcoming the consequences of the civil war and achieving peace and national accord in the country, and in accordance with the protocol on the fundamental principles for establishing peace and national accord in Tajikistan of 17 August 1995, the joint statement on the results of the fourth round of inter-Tajik talks in Almaty and the appeal by the President of the Republic of Tajikistan, Mr. Emomali S. Rakhmonov, and the leader of the United Tajik Opposition, Mr. S. Abdullo Nuri, to their fellow countrymen who had been forced to leave the country, adopted in Moscow on 23 December 1996, the delegations of the Republic of Tajikistan and the United Tajik Opposition (hereinafter referred to as "the Parties"), have agreed as follows:

1. To step up mutual efforts to ensure the voluntary return, in safety and dignity, of all refugees and displaced persons to their homes, and to complete this process within 12 to 18 months from the date of signature of this Protocol. With a view to ensuring their safety, honour and dignity, the Parties also call upon the United Nations, the Organization for Security and Cooperation in Europe (OSCE) and the Office of the United Nations High Commissioner for Refugees (UNHCR) to provide assistance in order to ensure the safety of returning refugees and displaced persons and to establish and expand their presence at places where such persons are living.

2. The Government of the Republic of Tajikistan assumes the obligation to reintegrate returning refugees and displaced persons into the social and economic life of the country, which includes the provision to them of humanitarian and financial aid, assistance in finding employment and housing and the restoration of all their rights as citizens of the Republic of Tajikistan (including the return to them of dwellings and property and guaranteed uninterrupted service), and not to institute criminal proceedings against returning refugees or displaced persons for their participation in the political confrontation and the civil war, in accordance with the legislative acts in force in the Republic.

3. The Parties have decided to resume the work of the Joint Commission on problems relating to refugees and, within one month from the date of signature of this Protocol, with the assistance of UNHCR, to draw up a statute of the Commission.

4. The Parties have decided to instruct the Joint Commission, with the participation of representatives of local hukumats (executive committees) and the United Tajik Opposition for the period during which this Protocol is being implemented, to visit on a regular basis, in accordance with a separate timetable, refugee camps in the Islamic Republic of Afghanistan, places in the Commonwealth of Independent States (CIS) where there are concentrations of refugees and districts in the Republic of Tajikistan to which refugees and displaced persons intend to return. Similar visits shall be organized by the

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Joint Commission to places where displaced persons live in large numbers. The above-mentioned timetable shall be agreed by the Joint Commission within one month from the date of signature of this Protocol.

5. The Parties appeal to the Governments of the CIS States to consider issuing temporary identity documents to refugees from Tajikistan and to assist UNHCR in carrying out additional measures to ensure the safety of refugees and to defend their honour and dignity.

6. The Parties express their sincere gratitude to the United Nations, UNHCR, OSCE, donor countries and the Aga Khan Foundation for their assistance and at the same time make an urgent appeal to them and to the International Monetary Fund, the World Bank, the European Development Bank, the Islamic Bank and the Aga Khan Foundation to provide additional and substantial financial and material support to refugees and displaced persons and to the Joint Commission on problems relating to refugees, and also for the purpose of rehabilitating the national economy destroyed by the war and improving the well-being of the population.

(Signed) Talbak NAZAROV
Head of the delegation
of the Government of the
Republic of Tajikistan

(Signed) Khoja Akbar TURAJONZODAH
Head of the delegation of
the United Tajik Opposition

(Signed) Gerd Dietrich MERREM
Special Representative of the Secretary-General
of the United Nations for Tajikistan

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Annex IV

[Original: Russian]

Joint statement by the delegation of the Government of
Tajikistan and the delegation of the United Tajik
Opposition on the results of the talks held in Tehran
from 5 to 19 January 1997

On the instructions of the President of the Republic of Tajikistan, Emomali S. Rakhmonov, and the leader of the United Tajik Opposition, S. Abdullo Nuri, delegations of the parties conducted in Tehran from 5 to 19 January 1997, under United Nations auspices, talks on the issues specified in the agreement and protocol signed by them in Moscow on 23 December 1996. The delegation of the Government of the Republic of Tajikistan was headed by the Minister for Foreign Affairs, Mr. Talbak Nazarov, and the delegation of the United Tajik Opposition by the First Deputy leader of the United Tajik Opposition, Mr. K. Akbar Turajonzodah. The Special Representative of the United Nations Secretary-General for Tajikistan, Mr. Gerd D. Merrem, acted as facilitator in the course of the talks. The talks were attended by observers from the Islamic State of Afghanistan, the Islamic Republic of Iran, Kazakstan, Kyrgyzstan, Pakistan, the Russian Federation, Turkmenistan, Uzbekistan, the Organization for Security and Cooperation in Europe (OSCE) and the Organization of the Islamic Conference (OIC).

In accordance with the agreements reached, the parties conducted an in-depth discussion of issues relating to the size of the commission on national reconciliation, who should serve on it and its specific functions and powers. In this context, they reviewed a draft protocol on political problems, of which the agreement and protocol of 23 December 1996 form integral parts.

The parties considered a draft statute of the commission on national reconciliation and agreed on the structure of the statute, as well as on the number of members of the commission - 27 - and its specific functions and powers. Agreement was reached to continue discussion of issues relating to quotas in the commission and guarantees of the safety of its members.

In the course of the round, progress was made in agreeing on the protocol on political problems.

Agreement was reached on three of the four political issues of principle:

(a) The procedure for adoption of the Reciprocal Pardon Act and the Amnesty Act;

(b) The central commission on elections and the conduct of the referendum for the transition period and the quota of representatives of the United Tajik Opposition in its membership;

/...

(c) Reform of the Government and the mechanism for including representatives of the United Tajik Opposition in the power structures in accordance with a quota.

The parties agreed to continue discussion of the question of renewal of the activity of the political parties and movements forming part of the United Tajik Opposition.

For purposes of overcoming the consequences of the civil war and achieving peace and national accord, the parties signed the protocol on refugee questions, which forms an integral part of the general agreement on the establishment of peace in the country. The protocol determines the political and legal parameters for the voluntary return of refugees and forcibly displaced persons to their homes in conditions of safety and dignity, their reintegration into the economic, political and social life of the country and also the restoration of their civil and property rights and the guaranteeing of their security.

The parties agreed to conduct the next round of talks starting on 26 February 1997, in Moscow or Tehran, in line with the invitations of the Russian Federation and the Islamic Republic of Iran.

The parties expressed their deep gratitude to the leadership of the Islamic Republic of Iran for the hospitality and assistance extended for the organization and conduct of the talks in Tehran. They also expressed their gratitude to the representatives of the observer States and international organizations for their cooperation and support in the course of the talks.

The delegations of the Government of the Republic of Tajikistan and the United Tajik Opposition express their sincere appreciation to the Special Representative of the Secretary-General of the United Nations for Tajikistan for his efforts to secure progress in the talks.

(Signed) Talbak NAZAROV
Head of the delegation of
the Republic of Tajikistan

(Signed) Khoja Akbar TURAJONZODAH
Head of the delegation of
the United Tajik Opposition

(Signed) Gerd Dietrich MERREM
Special Representative of the Secretary-General
of the United Nations for Tajikistan



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LETTER DATED 21 AUGUST 1995 FROM THE PERMANENT REPRESENTATIVE
OF TAJIKISTAN TO THE UNITED NATIONS ADDRESSED TO THE
SECRETARY-GENERAL

I have the honour to transmit herewith the text of the "Protocol on the fundamental principles for establishing peace and national accord in Tajikistan" signed by the President of the Republic of Tajikistan, E. Rakhmonov, and the leader of the Tajik opposition, A. Nuri, thanks to the good offices of your Special Envoy Ambassador Ramiro Píriz-Ballón.

I should be grateful if you would have the text of this letter and its annex circulated as a document of the Security Council.

(Signed) Rashid ALIMOV
Ambassador
Permanent Representative

* Reissued for technical reasons.

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Annex

Protocol on the fundamental principles for establishing peace
and national accord in Tajikistan

The President of the Republic of Tajikistan, Emomali Rakhmonov, and the leader of the Tajik opposition, Abdullo Nuri, strongly determined to ensure observance of the highest interests of the Tajik people, affirm that dialogue and cooperation are the essential ways to achieve stable peace in the country. To this end, the Government undertakes to refrain from carrying out any acts that run counter to the provisions of the protocols being concluded and from adopting such laws or measures which may be incompatible with these protocols. The Tajik opposition, for its part, undertakes to wage a political struggle by exclusively peaceful means in accordance with the laws in force in the Republic of Tajikistan and in conformity with the conditions and guarantees laid down in a general agreement on the establishment of peace and national accord in the country.

In this connection, the parties have agreed:

1. To conduct, beginning on 18 September 1995, a continual round of negotiations aimed at concluding, at the earliest possible date, a general agreement on the establishment of peace and national accord in Tajikistan. The venue for the negotiations shall be agreed upon by the parties through the mediation of the Special Envoy of the United Nations Secretary-General.

2. The general agreement referred to shall consist of separate protocols on the following groups of problems:

(a) Political problems, including a consultative forum of the peoples of Tajikistan, the functioning of all political parties and political movements and the participation of their representatives in the power structures, as well as the deepening of the democratization process in Tajik society;

(b) Military problems, including reforms of the governmental power structures, and the disbandment, disarmament and reintegration of the opposition's armed formations into the Government's armed forces or Tajikistan's civilian sector, in accordance with a timetable to be agreed upon at subsequent negotiations;

(c) The voluntary, safe and dignified repatriation and reintegration of refugees, including legal, economic and social guarantees for their protection;

(d) A commission to monitor and verify compliance by the parties with the general agreement;

(e) Guarantees for implementing the general agreement, including a possible role to be played by the United Nations, States and international organizations acting as observers at inter-Tajik negotiations;

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(f) A donors' conference for financing the programmes to reintegrate refugees, displaced persons and persons demobilized during the national reconciliation process, and also for providing necessary assistance in restoring the national economy, which has been destroyed by the civil war.

3. The protocols on these groups of problems shall be integral parts of the general agreement, and this document shall be incorporated into it as the first protocol.

4. Acting in the spirit of this Protocol and with a view to creating the necessary conditions for conducting further negotiations, the parties have agreed to extend the period of validity of the Agreement on a Temporary Cease-Fire and the Cessation of Other Hostilities on the Tajik-Afghan Border and within the Country for the next six months until 26 February 1996.

5. The texts of this Protocol, which were signed by Mr. Rakhmonov, the President of the Republic of Tajikistan, and Mr. Nuri, the leader of the Tajik opposition, were exchanged on 17 August 1995, through the intermediary of the Special Envoy of the Secretary-General, Mr. Ramiro Píriz-Ballón.

(Signed) E. RAKHMONOV
President of the Republic of
Tajikistan

(Signed) A. NURI
Leader of the Tajik opposition
