

## **NGOs IN TAJIKISTAN**

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The process of globalization has introduced many significant changes, and any sustainable development may be ensured realizing such realities around the world. One of such realities is the existence of healthy and effective civil society. In Tajikistan, civil society has not yet fully developed, it is in its formative stage, but Tajikistan<sup>1</sup> has joined the world community, where the leading role is played by the countries of developed democracy; has entered the process of the great transformation of the democratic direction. This is an imperative of modernity, a sociological law that has led to the modern development of Tajikistan. In fact, today Tajikistan has reached a point where, under the conditions of transformation combined with the post-conflict period, the further development of the country, the consolidation of peace and stability depends largely on the degree of activity of broad sections of the population in building and strengthening civil society, the degree of involvement of various social structures in solving the pressing problems of modern Tajik society. The fundamental transformations taking place in the life of modern society of Tajikistan and the solution of many of its problems is inextricably linked with the formation of civil society. Today it has become indisputable the fact that the social activity of an individual or the civil initiative of society is the most important and most significant factor in the formation of a democratic, legal statehood and a truly free, tolerant civil society. The development of the basic institutions of civil society is impossible without socially active individuals and their initiative and voluntary associations, which are today called the “third” sector or non-profit non-governmental organizations (NGOs). Awareness of the full significance of this social purpose and the essence of NGOs can be crucial for Tajik society in the process of transition to a civil state and legal statehood.

Today in Tajikistan a large number of public organizations have been created that play an important role in the political system. These organizations form the basis of the country's civil society. Among them, NGOs are one of the most developed and effective civil society institutions in Tajikistan. In fact, the process of formation and development of the civil society and extension of NGOs as the product of State sovereignty is one of the positive phenomena of modern

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<sup>1</sup> Formation of Civil Society in Tajikistan. By *Shamsiddin Karimov*. – Dushanbe: Erfan, 2019.

Tajikistan. NGOs as an important institution of the civil society of Tajikistan play a significant role in the process of realignment in the country. The Tajik NGOs are developing in both aspects - quantity and quality. The first NGOs in Tajikistan emerged during “Perestroika” (end of eighties, Century XX). Last decade of Century XX is the period of their formation. But the development of NGOs in Tajikistan began since early 2000. At the beginning, NGOs were dealing with humanitarian aid and in their later stage of development they focused more on the communities and human rights development. Designing and running civic education programs are the main area of NGOs activities. However, NGOs are becoming the main factor in economic development and playing a worthy role in creating employment, retraining of entrepreneurs in the process of economic changes of the country, implementing National Strategic Programs and eliminating poverty.

At the beginning of 2019, about 3,000 NGOs were officially registered within the Ministry of Justice of the country. The results of the recent study conducted by the Tajikistan National NGO Association (TNNGOA) in conjunction with the National Legislative Center under the President of the Republic of Tajikistan show that there are 17,372 non-profit organizations in Tajikistan, of which 5,440 are mostly public, and the remaining 11,932 organizations are non-governmental called civil society organizations (CSOs)<sup>2</sup>. Today they function in all spheres of public and state life of the country. In fact, NGOs are the envoys of the country in bringing essential changes. Raising civic awareness of citizens, including their legal awareness and civic responsibility via training programs and hence, making each citizen active in addressing problems is the key mission of NGOs. Today, NGOs are actively participating in all areas filling the gaps and addressing problems. The contribution of NGOs is especially significant in the training of legal, political, social and cultural awareness of citizens. The first training centers, outreaching women and children, people with disabilities and elderly, establishment of first commercial and non-commercial enterprises, cooperation in health-care and education sectors of the country, legal awareness education, offering the first financial support and opening business start-up training centers for new generation of entrepreneurs, running short-term courses with the use of interactive and advanced methods for civil servants, providing opportunities and new job places for youth and women (housewives), assisting in introduction of the use of alternative-renewable sources of energy, protection of environment is the non-exceptional list of activities that NGOs are working for the last almost 30 years. The main problem in improving this multifaceted activity of NGOs is that this complex of measures is not yet a coordinated system that could allow them to guarantee the realization of citizens rights more effectively. However, they are extremely important for citizens to realize their freedoms and rights, enhance their self-esteem, increase their civic initiative, and protect their rights. And such forms of work in the future must be maintained and expanded.

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<sup>2</sup> Enabling Environment for CSOs in Tajikistan. A research of TNNGOA funded by CIVICUS.- Dushanbe, 2016.

Civil society is often viewed as a guarantee of not only political well-being but also economic success. In their opinion, an active, strong civil society can make a useful contribution to solving the problems of economic policy, facilitate the development of private initiative, help prevent excessive state intervention in the economy. In other words, civil society is considered a necessary condition for economic success. In this context, Tajikistan's NGOs have become an indisputable economic factor, creating jobs and helping to reduce the level of poverty in the country. They play a crucial role in their social purpose. In particular, a wide range of social problems, such as support for socially vulnerable groups (children, youth, veterans, refugees, disabled people, etc.), upholding the right of citizens to a healthy environment, organizing leisure activities, social rehabilitation, etc., have long been and it is successfully solved by NGOs, but not by commercial organizations and not by the state, with their focus on maximizing profit and due to its inertia, conservatism and limited resources and ideas to deal with a specific person and his problems respectively.

In Tajikistan, there is a certain political will in understanding the essence of this problem. More and more institutions and government structures are beginning to cooperate with NGOs and other civil society institutions. There are good examples of such mutually beneficial cooperation at both the national and local levels<sup>3</sup>. Moreover, the President of the country in his last Address to the Parliament<sup>4</sup> emphasized the importance and efficiency of civil society and its institutions in successfully solving social and economic problems and sustainable development of Tajikistan in the long term. At the highest level, an idea is repeatedly affirmed that in Tajikistan there is no alternative to the democratic path of the country's development and the construction of civil society. The parliamentary hearings on the state of civil society in Tajikistan held in December 2017 is a good example of possible state cooperation with NGOs to improve the legal environment and effective social cooperation in general and within the framework of the National Development Strategy of the Republic of Tajikistan for the period up to 2030, in particular. All this ultimately contributes to the further development and strengthening of the democratic foundations of Tajik society and is of fundamental importance, especially in today's conditions of restriction of these freedoms in the post-Soviet space.

But at the same time, there are many gaps in the theory and practice of the process of formation and development of civil society in the country. There is still

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<sup>3</sup> NGOs as an institution of civil society in Tajikistan. *By Shamsiddin Karimov*. - Dushanbe, 2010.

<sup>4</sup> Address of the President of Tajikistan Emomali Rahmon to the Majlisi Oli (National Parliament) of the Republic of Tajikistan: December 2017.

no legal definition of the very concept of “civil society” in the main state documents, including the Constitution of the Republic of Tajikistan. Fundamental strategic significance documents for the full and progressive development of civil society and its institutions in the country, such as the “National Concept for the Development of Civil Society in Tajikistan”, “The Strategy of State Support for the Development of NGOs in Tajikistan”, “The National Concept on Social Partnership” and etc. are not adopted yet. The legal environment for the normal functioning of NGOs in Tajikistan is generally positive. The existing laws and legal environment regarding civil society and its institutions comply with the requirements of international standards. The problem is the absence of proper mechanisms for their implementation and underdeveloped law enforcement practice, on the one hand, and low legal literacy of the entire population of the country as a whole, and NGOs in particular, on the other. A new law on non-profit organizations (*Law of the RT on Non-Commercial Organizations*) is going to be adopted soon, which is designed to more effectively regulate the activities of the entire non-profit sector of the country and promote its freer and more independent activities. At the same time, following the restrictions adopted in the Russian Federation with regard to CSOs, in order to tighten control and inspections of the statutory activities of NGOs, there were attempts to amend the current Law of the RT “On Public Associations”, the new Law of the RT “On rallies and demonstrations” and the Law “On State Fees” which increased obvious bureaucratic barriers during registration, re-registration and liquidation of CSOs. As a result, during the last years, the number of audits of public associations became more frequent. These and other negative phenomena and legal restrictions as a whole led to the situation with respect to the legal environment for the normal functioning of NGOs in Tajikistan, for example, in 2014, worsened significantly. As a result, Tajikistan ranked 25th among 29 countries in the region according to the results of the CSO Sustainability Index, held annually by the United States Development Agency (*the CSOs of Azerbaijan, Belarus, Uzbekistan, and Turkmenistan lag behind*)<sup>5</sup>.

Today in Tajikistan, more or less successfully begun to practice the creation of Public Councils under ministries and other government bodies. To date, there are 15 tips on various issues. In some of such Councils at the republican level, the participation of civil society is reflected in part through pro-state and/or non-core civil society organizations. At the same time, there is the possibility of enhancing the participation of civil society in councils through public receptions of the

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<sup>5</sup> 2014 NGO Sustainability Index:TAJIKISTAN: <https://www.usaid.gov/sites/default/files/documents/1863/CSOSI-Report-FINAL-7-2-15.pdf>

Ombudsman for Human Rights in different parts of the country<sup>6</sup>. Public hearings and the involvement of civic activists are also used when adopting fundamentally important documents. Or, in the process of adopting a new version of the Tax Code of Tajikistan, the Tajik NGOs, the media and private sector of the country have actively participated, preparing more than 1,000 comments and suggestions to this draft law. And the recent incident with additions and changes to the current Law on Public Associations of the Republic of Tajikistan, when the Government initiated tightening rules on grants and other types of financial support for NGOs from outside, can be considered as a great success for the country's civil society and a good example of a fruitful dialogue between the state and CSOs. As a result of joint efforts, these changes and additions were adopted in a form that suited both parties. Now Tajik NGOs are not required to obtain permission and be registered when receiving grants, as it was laid out in the project, but should only inform the Ministry of Justice after receiving it via e-mail (the notification character of the message). And most importantly, in these changes and additions there is no concept of “foreign agents”<sup>7</sup>.

The organizational capacity of NGOs in Tajikistan has deteriorated markedly in recent years. This is primarily due to the limited financial capacity of organizations. Many NGOs do not have a permanent, well-professionally trained staff. Most of them work from grant to grant. The scope and programs of CSOs are directly dependent on the volume and availability of funds from foreign donors. Lack of funds keeps CSOs from long-term strategic planning. CSOs mainly work with beneficiaries, but do not create a social base for their activities. Although almost all NGOs have learned how to manage finances, planning-based research questions aimed at achieving an organization’s development strategy remain unresolved and open. There is no practice of collective and transparent management, not all NGOs have an efficient Board of Directors. Attracting volunteers is not on a systematic basis. The volunteering movement itself is not sufficiently developed. In recent years, insufficient attention has been paid to the issues of training NGO leaders, especially from among the new generation. Publication of reports on the work done is a rarity. New coalitions and networks of NGOs are being created at various levels, but they are either ineffective or quickly decay for many reasons, due to lack of funds and lack of motivation in the first place. Thus, the issues of financing NGO activities remain their main problem. Tajik NGOs are almost one hundred percent dependent on foreign donors. The

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<sup>6</sup> [http://ombudsman.tj/ru/kabulgohhoi\\_chamiyati/activities\\_of\\_public\\_reception.php](http://ombudsman.tj/ru/kabulgohhoi_chamiyati/activities_of_public_reception.php)

<sup>7</sup> Amendments to the Law "On Public Associations" (signed by the President on August 8, 2015) [http://www.adlia.tj/base/show\\_doc.fwx?Rgn=124936](http://www.adlia.tj/base/show_doc.fwx?Rgn=124936).

remaining sources of funding - state, private sector, incomes from NGO business activities, philanthropy, membership fees - remain unused and not used sufficiently. In 2014, the Tajikistan National NGO Association initiated series of round tables with all officially registered political parties in Tajikistan in order to improve the social partnership between NGOs and political parties, considering them as an additional internal source for the implementation of joint programs and projects. Today, Memorandums of Social Partnership have been signed with each of these parties. TNGOA plans to conduct the same program with representatives of small and medium-sized businesses in the country. It is expected that this approach will contribute to the active involvement of local resources in solving this problem and more sustainable development of NGOs in Tajikistan.

In sum, the reality of the twentieth and early twenty-first century – is the Tajik civil society. In the first phase of their development, the Tajik NGOs began to form in a very specific historical, first of all, political and ideological conditions as a civilian political movement. Emerging "from below" civic movement they developed in the form of local initiatives in selected cities and towns of the country. The period of 1990 - 1991 years, it was the heyday of the civil movement and the democratic development of Tajikistan. The emergence of officially registered NGOs was a new phenomenon for Tajikistan period of political and social change. Their future growth has been consistent and progressive. Special development they received in 1997 - 2001 years. Today NGOs in Tajikistan have become the most active and effective institution of civil society with a total of 3000 legal entities, operating in virtually all parts of the country.

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**Shamsiddin Karimov:** “NGOs in Tajikistan ”. The article is devoted to the process of formation of civil society in Tajikistan and the role of NGOs as an important institution of civil society in the political system of the country.

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