

Tajikistan

Internet access in Tajikistan remains largely unrestricted, but emerging second-generation controls have threatened to erode these freedoms just as Internet penetration is starting to have an impact on political life in the country. In the run-up to the 2006 presidential elections, ISPs were asked to voluntarily censor access to an opposition Web site, and recently other second-generation controls have begun to emerge. Internet penetration remains low because of widespread poverty and the relatively high cost of Internet access.



Background

Tajikistan constitutional law gives the president unprecedented authority over the media. The incumbent president, Emomali Rahmon, who is presently in his third seven-year mandate,¹ suppresses opposition through prosecutions based on broad and inconsistent interpretations of Tajik laws.² Three of Tajikistan’s eight political parties are represented in parliament, but few are politically active because of the increasingly authoritarian practices of the regime.³

RESULTS AT A GLANCE

| Filtering | No Evidence of Filtering | Suspected Filtering | Selective Filtering | Substantial Filtering | Pervasive Filtering |
|-----------------------|--------------------------|---------------------|---------------------|-----------------------|---------------------|
| Political | | | • | | |
| Social | • | | | | |
| Conflict and security | • | | | | |
| Internet tools | • | | | | |

| Other Factors | Low | Medium | High | Not Applicable |
|---------------|-----|--------|------|----------------|
| Transparency | • | | | |
| Consistency | • | | | |

| KEY INDICATORS | |
|---|----------------------------|
| GDP per capita, PPP (constant 2005 international dollars) | 1,657 |
| Life expectancy at birth (years) | 67 |
| Literacy rate (percent of people age 15+) | 100 |
| Human development index (out of 179) | 124 |
| Rule of law (out of 211) | 188 |
| Voice and accountability (out of 209) | 186 |
| Democracy index (out of 167) | 150 (Authoritarian regime) |
| Digital opportunity index (out of 181) | 143 |
| Internet users (percent of population) | 6.6 |

Source by indicator: World Bank 2009a, World Bank 2009a, World Bank 2009a, UNDP 2008, World Bank 2009b, World Bank 2009b, Economist Intelligence Unit 2008, ITU 2007, Miniwatts Marketing Group 2009.

Government claims of an improving economic and political situation and investor confidence in the telecommunications and Internet market⁴ are difficult to substantiate given that the majority of the population live below the poverty line.⁵ The unemployment rate is high, and remittances from economic migrants form the backbone of the economy. According to World Bank statistics, in 2008 Tajikistan received USD 1.25 billion in remittances from workers abroad, while unofficial sources claim that this figure amounts to 60 percent of the country's GDP.⁶

Opposition parties are only beginning to explore the Internet's potential, in part owing to the low levels of Internet penetration throughout the country. None of the registered opposition parties have domain names registered in the ".tj" Internet zone, and only one party has its Web site available in Tajik.⁷

Internet in Tajikistan

The Internet in Tajikistan emerged as the country was ending a bloody civil war that followed the demise of Soviet rule in the early 1990s. The resulting fragmentation of power also meant that Internet services developed largely without state interference and the Ministry of Transport and Communications played a weak role in the development of the sector as a whole. Telecommunications remained fragmented up until the end of the 1990s, with several companies failing to interconnect because of fierce (and at times violent and armed) competition. During this period of instability, ISPs were aligned with feuding political and criminal interests that spilled over to the competition among the ISPs themselves.

Since the end of the civil war, the government has taken steps to attract investors and liberalize the sector prompted by expectations of accession to the WTO. However, important steps are still pending, such as the privatization of Tajiktelecom (the na-

tional operator) and the establishment of an independent regulatory authority.⁸ In recent years, the telecommunications sector has boosted Tajikistan's GDP, and the number of licensed Internet and mobile operators has been increasing. In 2008, more than 180 companies were licensed in the ICT market.⁹

Internet penetration in Tajikistan is estimated at 6.6 percent (2008).¹⁰ In 2009, the cost of accessing the Internet increased, further restricting development of the sector. Access costs of USD 73 per hour at Internet cafés and up to USD 300 for unlimited Wi-Fi traffic compare poorly with average wages of USD 35 per month and a minimum salary of USD 7 per month. The price for one hour of Internet access in Internet cafés is USD 0.73; unlimited monthly traffic by dial-up access costs USD 26.41; xDSL with capacity of 128/64 Kbps amounts to USD 200; and Wi-Fi unlimited traffic per month with the same capacity is USD 300.¹¹

One respected Tajik NGO estimates that 1 percent of households own personal computers and that most people access the Internet from home by way of dial-up connections.¹² Access with DSL and wireless (Wi-Fi and WiMAX) technologies is limited by relatively high costs, and therefore restricted to a small number of commercial companies.

In 2009, there are ten main ISPs in Tajikistan actively providing Internet services to all major cities in the country.¹³ The state-owned telecommunications company Tajiktelecom, which provides local, long-distance, and international telephone, mobile telephony, and Internet services, lost its unrivaled dominance of the telecoms market in 2007, when Babilon-Mobile seized more than 30 percent of the market.

Tajikistan remains dependent on satellite-based connections, as the cost of fiber remains high—approximately 30 percent higher than using the same-capacity channel over VSAT. The country is connected to the Trans-Asia-Europe (TAE)¹⁴ fiber-optic highway passing through Uzbekistan, and a second connection is under construction to Kyrgyzstan. In part to overcome this bottleneck, both Tajiktelecom and Babilon-T have an ambitious plan to expand their fiber-optic infrastructure across the country and establish connections with China.¹⁵

The ISPs are reluctant to share information about their bandwidth because of the concern that the data would be used by their competitors to undermine their market position. They are also reluctant to discuss their international points of connection from which they buy bandwidth. The ONI data reveal that with the exception of TARENA (an educational network), all Tajik ISPs maintained two international points of access, one located in Russia and the other in Western Europe. Tajik providers are aggressive in adopting new technologies. Three of the operators, Babilon-T, Telecom Technology, and Eastera, provide a commercial Next Generation Network (NGN) service.¹⁶

In 2005, the Association of Tajik ISPs established a national Internet exchange point (IXP) that connected only four of the ten commercial ISPs (Babilon-T, Compuworld,

Eastera, and MKF Networks), as well as TARENA.¹⁷ At the time of writing, the IXP is not operational as ISPs prefer to maintain bilateral peering connections between them.

Most Internet users are young and access the Internet through Internet cafés close to schools and universities. In January 2006, the Ministry of Transport and Communications estimated that some 400 Internet cafés, mostly concentrated in large cities, operated in the country. Many Internet cafés act as second-tier ISPs and buy their bandwidth from the first-level ISPs (i.e., main ISPs in the country with independent international connection). Recent changes in licensing regulations require Internet cafés operating as ISPs to obtain a license from the Ministry, a requirement which has brought about a decrease of the overall number of Internet cafés.¹⁸

Although more than 70 percent of the population resides in rural areas, Internet access is mainly restricted to urban areas because of poor infrastructure and low affordability. A 2005 study by the local Civil Initiative on Internet Policy (CIPi) shows a great disparity between the percentage of men accessing Internet (77.5) and that of women (22.5).¹⁹ About 12 percent of users are secondary school students, with around 100 schools across the country connected to the Internet. The most active users are university students, employees of international organizations, commercial companies, and public sector institutions.

Tajik is the official national language. Nevertheless, Russian remains the most popular language for Internet use. According to data obtained from the national information portal (TopTJ.com), the top-ten most-visited Web sites in October 2007 were informational and analytical portals (AsiaPlus, Varorud, Watanweb, Ariana), a commercial bank, and entertainment sites. Other popular Web sites include mail.ru; popular research engines are rambler.ru, google.com, yahoo.com, and yandex.ru. Among Tajik youth, the most popular applications include instant messenger, followed by social networking sites (odnokassniki.ru, my.mail.ru), and online educational resources.

Local Tajik content on the Internet is poorly developed. Most Internet content is available in Russian, but the knowledge of Russian among the younger generation is gradually decreasing. A survey conducted among 342 students and professors from nine universities showed 60 percent of respondents saw the Internet as an informational and educational resource, but not as a means to create local information resources.²⁰

The Tajik top-level domain name was registered with the Internet Assigned Numbers Authority (IANA) in 1997, but the domain name was later suspended because it was used mainly for registering pornography sites. In 2003, the domain name registration was delegated to the Information and Technical Center of the President of Tajikistan Administration, a state entity that now supervises registrations within the “.tj” domain.²¹ Any operator that has a license for providing telecommunication services (including Internet) is eligible to act as a domain registrar. By January 19, 2008, 4,894 second-level domain names were registered within the “.tj” domain.²²

Legal and Regulatory Frameworks

All Tajik ISPs operate under a license from the Tajik Ministry of Transport and Communication. Internet service providers are permitted to operate VoIP services under an IP-telephony license, although the ministry has introduced amendments that require VoIP providers to obtain a special license, presumably as a means to further regulate the sector.²³ In Tajikistan, P2P services are not popular, and the government has not shown ambitions to regulate them at this time.

The main state entities regulating the Internet in Tajikistan are the Security Council (SC), the ICT Council, and the MTC (an entity established in February 2007, replacing the former Ministry of Communications). The Communications and Informatization Department of the MTC is the main regulator in the telecommunications industry and is empowered to issue licenses for any related activities.²⁴ In 2003, the government adopted the Conception on Information Security,²⁵ which serves as a platform for proclaiming official views and policy directions to preserve state information security.

The president remains the key authority that ratifies the main legal documents in the IT sector and directs ICT policy in the country. The SC controls the implementation of the State Strategy on Information and Communication Technologies for Development of the Republic of Tajikistan (e-Strategy),²⁶ aimed at developing the information society and exploiting the country's ICT potential. The SC monitors telecommunications, including the Internet, for national security reasons. The ICT Council,²⁷ where the president sits as chairman alongside members of the government, is responsible for implementing and coordinating work under the e-Strategy and advising the president. However, although the council was established in February 2006, it has yet to be convened.

The government restricts the distribution of state secrets and other privileged data intending to "discredit the dignity and honor of the state and the President," or that which contains "violence and cruelty, racial, national and religious hostility . . . pornography . . . and any other information prohibited by law."²⁸ The provisions of this regulation are broad and allow state bodies wide discretion in their application. The control over information security is assigned to the Main Department of State Secrets and the Ministry of Security.

The lower chamber (Majlisi Namoyandagon) and the president ratified the Law on Changes and Amendments to the Criminal Code in June and July 2007, respectively. The changes introduced, inter alia, provisions on defamation (Article 135, part 2, Slander) and provisions on illegal collection and distribution of private data (Article 144, part 1). Defamation incurred over "mass media or Internet" is prosecuted according to local laws when it contains "intentional distribution via the Internet of knowingly false, libelous and insulting information, as well as expletive words and phrases which denigrate the dignity of human personality."

Tajikistan does not have an official policy on Internet filtering. However, state authorities have been known to restrict access to some Web sites at politically sensitive times by communicating their “recommendations” to all top-level ISPs—an example of second-generation controls. Prior to the 2006 presidential election, the government-controlled Communications Regulation Agency issued a “Recommendation on Filtering” that advised ISPs that, “for the purpose of information security,” they should “engage in filtering and block access to Web sites that aim to undermine the state policy in the sphere of information.”²⁹ As a result, several oppositional news Web sites hosted in Russia or Tajikistan were inaccessible to Tajik users for several days.³⁰ Although officials offered unclear reasons for shutting down the Web sites, independent media sources believe that the block list will grow in the future.³¹

Surveillance

Several government agencies possess the right to inspect ISPs’ activities and premises, and require information on their users. The rights and obligations of ISPs in this regard are envisioned in the Annex to the “Internet Services Provision Rules within the Republic of Tajikistan” (herein referred to as the Rules). According to Section 4, paragraph 15, of the Rules, the provider is obliged to “render its activity in accordance with the current Rules” and “provide an easy access to its facilities for employees of the State Communications Inspectorate of the Ministry of Transport and Communications, Ministry of Security and other state agencies granted under the corresponding rules, provide on their demand information, for which they are authorized to ask and fulfill their instructions on time.”

In 2006, the government signaled its intention to create an agency under the auspices of the Ministry of Transport and Communications that would control the ISP sector. All telecoms and ISPs were required to provide direct access to the state inspectorate in a manner similar to Russian surveillance legislation (SORM). In 2009, the high cost of the project as well as lobbying from telecom operators halted its realization.³²

ONI Testing Results

In 2007 and 2008, the OpenNet Initiative tested in Tajikistan on four key ISPs: Babilon-T, Eastera, Tajiktelecom, and TARENA. Testing in Tajikistan yielded no evidence of Internet filtering. This extends to pornographic content, and with the exception of TARENA (which services schools and universities), the major ISPs do not filter such content on the backbone level. However, accessing pornographic content at Internet cafés is illegal. Any persons caught accessing such content is subject to a fine ranging from USD 15 to USD 100, and violators may be criminally prosecuted. The ONI’s investigation

concluded that currently most Internet cafés do not filter access to pornographic content. However, they do employ monitoring software that notifies them when a client is attempting to retrieve such content.

Conclusion

The Tajik government has adopted an e-strategy aimed at developing an information society and employing ICT potential for spurring economic growth. At the same time it does not seek to encourage independent online publishers, journalists, and bloggers. Media freedom is widely challenged and subject to de facto censorship, although the constitution provides that “state censorship and prosecution for criticism are forbidden.”³³ State filtering is unlikely to be officially supported as ISPs remain independent, often linked to political or criminal interests with influence within state bodies. Tajikistan is also dependent on international aid, which has some influence over the direction of state policy in this sector, although this may change as Tajikistan moves closer to the Shanghai Cooperation Organization (discussed further below). The Tajik government, however, has in place policies and instruments to maintain firm control over the distribution of information, particularly before elections. The government is engaged in developing programs aimed at restricting citizens’ Internet access, following on from President Rahmon’s message that “Western values aren’t always applicable” to Eastern countries.³⁴

Future tendencies on the political agenda include the increasing role of regional organizations such as the Shanghai Cooperation Organization and the Eurasian Economic Union, which may lead to a harmonization of more repressive laws. This possibility combined with the regime’s authoritarian tendencies may lead to the emergence of further second-generation controls (especially event-driven filtering and legal restrictions on categories of content).

Notes

1. Joanna Lillis, “Tajikistan: No Surprises in Presidential Elections,” *Eurasia Insight*, November 6, 2006, <http://www.eurasianet.org/departments/insight/articles/eav110606a.shtml>; *Deutsche Welle*, “Nigora Buhari-zade, “Oppositionery v Tajikistane Protestuyut” [The Opposition Raises Protests], August 29, 2006, <http://www.dw-world.de/dw/article/0,2144,2150509,00.html>.

2. In 2005, the State Licensing Commission formally denied BBC a license, basing its argumentations on a complex interpretation of the Law on Licensing Certain Types of Activities. In addition, in 2005 the leader of the main opposition party, Iskandarov, was convicted on terrorism and corruption charges and sentenced to a 23-year prison term. See *Eurasia Insight*, “Tajik Government ‘Tightening the Screws’ on Independent Media,” August 25, 2006, <http://www.eurasianet.org/departments/insight/articles/eav082506a.shtml>.

3. Massoumeh Torfeh, "Tajikistan: Opposition Disorganized as Presidential Election Nears," Radio Free Europe/Radio Liberty, August 24, 2006, <http://www.rferl.org/featuresarticle/2006/08/ce926b40-a58f-4215-8171-025bd977ebce.html>.
4. Tajikistan State Statistics Committee, "Makroekonomicheskie Pokasately 2004–2005" [Macroeconomic Indicators 2004–2005], http://www.stat.tj/russian/macroeconomic_indicators1.htm.
5. *NBCentralAsia*, "Migrant Workers Rescue Families from Poverty," September 14, 2007, http://www.iwpr.net/?p=btj&s=b&o=338726&apc_state=henb; European Bank for Reconstruction and Development, *Investments 1991–2007 Tajikistan*, <http://www.ebrd.com/country/country/taj/sign.pdf>.
6. Konstantin Parshin, "Tajikistan: World Bank Cautions Dushanbe against Tough Economic Times Ahead," *EurasiaNet*, November 13, 2008, <http://www.eurasianet.org/departments/insight/articles/eav111308a.shtml>.
7. "Narodno-Demokraticheskaya Partiya Tajikistana Popolnila Svoy Web Resours" [People's Democratic Party of Tajikistan has Boosted Its Online Capacity], *SNGnews*, http://sngnews.ru/frame_article/5/67577.html (accessed May 21, 2009).
8. Privatization of Tajiktelecom has been planned for several years. The last target was the end of 2007, but the government did not meet it.
9. Data from the Main Department on Communications and Informatization of the Ministry of Transport and Communication, April 2008.
10. Miniwatts Marketing Group, "Internet World Statistics: Tajikistan," 2009, <http://internetworldstats.com/asia.htm#tj>.
11. State Statistics Committee, <http://www.stat.tj>; Internet access tariffs of ISP Intercom, <http://www.intercom.tj>; ISP Babilon-T, <http://www.tojikiston.com>.
12. Internews Network, <http://www.khoma.tj>.
13. A joint Tajik-American company, TACOM, stopped providing Internet service in the summer of 2006 but it is still a licensee.
14. TAE: Trans-Asia-Europe Fiber Optic Communications Line project envisions the laying of a 27,000-kilometer global telecommunications cable through 20 countries from Frankfurt to Shanghai.
15. A potential investor in this endeavor is the Chinese Development Bank.
16. In 2005, Tajiktelecom became the first when it contracted ZTE Corporation to install Central Asia's first commercial NGN.
17. Public Fund Civil Initiative on Internet Policy (CIPi), <http://www.cipi.tj>.
18. Data from the Main Department on Communications and Informatization of the Ministry of Transport and Communication, April 2008.

19. CIPI, <http://www.cipi.tj/>.
20. Survey conducted in 2008 by Public Fund Centre of ICT (<http://www.centreict.tj/>) in partnership with CIPI.
21. See the Tajikistani TLD hosting organization, Information and Technical Centre of the President of Tajikistan Administration, <http://www.nic.tj>.
22. Ibid.
23. See the Ministry of Communications, <http://www.mincom.tj>, and the Law on Electronic Telecommunications adopted on May 3, 2002.
24. The government had earlier plans to create an independent regulatory authority. This goal was not accomplished, and instead the Communications Regulatory Agency, which remained under government control during the years of its operation, was set up in 2005.
25. The “Conception” was ratified by Presidential Decree No. 1175 of November 2003.
26. The “e-Strategy” was ratified by Presidential Decree No. 1174 of November 2003.
27. The ICT Council was established by Presidential Decree No. 1707 of February 27, 2006.
28. Points 2 and 3 of Regulation No. 389 of the government from August 8, 2001, On Creating a Republican Network of Data Transfer and Measures to Order Access to Global Information Networks (unofficial translation from Russian).
29. Recommendation on Filtering sent to ISPs by the Communications Regulatory Agency (unofficial translation), obtained by ONI researchers. December 2006.
30. *Deutsche Welle*, “V Tajikistane Zajroyut Dustup k Opositsionnim Jurnalistskim Sitam” [Access to Opposition Media Web Sites is Blocked in Tajikistan], October 8, 2006, <http://www.dw-world.de/dw/article/0,2144,2198763,00.html>; *Fergana News*, “Ozvucheny Adresa Websitov Ofit-sialno Zablockirovannykh v Tajikistane—Ferghana.ru Sredi Nikh” [The Web Sites Officially Blocked in Tajikistan were Announced: Among Them—Ferghana.ru], October 9, 2006, <http://www.ferghana.ru/news.php?id=3633&mode=snews>.
31. *SNGnews*, “Internet Service Providers in Tajikistan are Prepared for Filtering of ‘Unsafe’ Web Sites,” <http://sngnews.ru/articles/5/68051.html> (accessed May 3, 2007).
32. Paul Budde Communication Pty., Ltd., “Tajikistan—Telecoms Market Overview and Statistics,” July 2007.
33. Article 30 of the Constitution of the Republic of Tajikistan, 1994.
34. Joanna Lillis, “Tajikistan: No Surprises in Presidential Elections,” *Eurasia Insight*, November 6, 2006, <http://www.eurasianet.org/departments/insight/articles/eav110606a.shtml>.

This is a section of [doi:10.7551/mitpress/8551.001.0001](https://doi.org/10.7551/mitpress/8551.001.0001)

Access Controlled

The Shaping of Power, Rights, and Rule in Cyberspace

**Edited by: Ronald Deibert, John Palfrey, Rafal Rohozinski,
Jonathan L. Zittrain**

Citation:

Access Controlled: The Shaping of Power, Rights, and Rule in Cyberspace

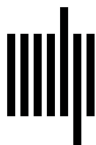
Edited by: Ronald Deibert, John Palfrey, Rafal Rohozinski, Jonathan L. Zittrain

DOI: 10.7551/mitpress/8551.001.0001

ISBN (electronic): 9780262266031

Publisher: The MIT Press

Published: 2010



The MIT Press

© 2010 Massachusetts Institute of Technology

All rights reserved. No part of this book may be reproduced in any form by any electronic or mechanical means (including photocopying, recording, or information storage and retrieval) without permission in writing from the publisher.

For information about special quantity discounts, please email special_sales@mitpress.mit.edu

This book was set in Stone Serif and Stone Sans on 3B2 by Asco Typesetters, Hong Kong.

Printed and bound in the United States of America.

Library of Congress Cataloging-in-Publication Data

Access controlled : the shaping of power, rights, and rule in cyberspace / edited by Ronald Deibert . . . [et al.] ; foreword by Miklos Haraszti.

p. cm. — (Information revolution and global politics)

Report from the OpenNet Initiative.

Includes bibliographical references and index.

ISBN 978-0-262-01434-2 (hardcover : alk. paper) — ISBN 978-0-262-51435-4 (pbk. : alk. paper)

1. Cyberspace—Government policy. 2. Internet—Government policy. 3. Computers—Access control. 4. Internet—Censorship. I. Deibert, Ronald. II. OpenNet Initiative.

HM851.A254 2010

005.8—dc22

2009049632

10 9 8 7 6 5 4 3 2 1