

ADVANCE QUESTIONS TO TAJIKISTAN – Add.1

CZECH REPUBLIC

- The Czech Republic expresses its concern about torture and ill-treatment that is claimed to be committed on detainees by the security officials. Since the definition of torture provided in domestic law is not fully in conformity with the definition under Article 1 in the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, the Czech Republic would like to know, whether Tajikistan intends to precise this definition in line with international standards?
- Does the Government of Tajikistan intend to amend the Criminal Procedure Code to the effect that detention records have to record the identity of the officers involved in detaining a person, in line with Principle 12 of the Body of Principles on Detention or Imprisonment?
- The Czech Republic would like to know, what measures is Tajikistan going to take to ensure prompt, impartial and full investigations into all complaints and into all instances of deaths in custody?
- Is the Government of Tajikistan considering ratifying the Optional Protocol to the Convention Against Torture (OP-CAT)?
- How does the Government of Tajikistan going to ensure examining of suspects by an independent doctor immediately after their detention and when they are admitted to a temporary detention facility?
- Since there are life-threatening conditions in Tajik prisons, such as overcrowding, disease, hunger or poor sanitation, the Czech Republic would like to know, whether the Government of Tajikistan intends to sign an agreement with the International Committee of the Red Cross (ICRC) to allow free and unhindered access to prisons and detention centres?
- The Czech Republic welcomes that the Tajik law provides for freedom of speech and of the press. However, the media remain largely controlled by the State and independent media have difficulties getting a licence to operate. The blockages of the Internet and newspapers occurred especially prior to the 2010 parliamentary elections and during a period of violence in Rasht Valley. What specific measures does the interim Government intend to take in order to guarantee free and diversified press? Is there any definition of insulting the President, which can, according to Criminal Code, lead to five years imprisonment?
- Opposition parties and local observers claimed the government selectively prosecuted political opponents. How would you explain these allegations?
- What measures are foreseen in order to guarantee the freedom of religion and belief to all individuals and communities? The Czech Republic would appreciate if you could provide more information about the Freedom of Conscience and Religious Organizations Act of March 2009 that is, according

to various international bodies such as UN or ODIHR, appointed as unconstitutional in that it violates freedom of religion?

- The Czech Republic welcomes that Tajikistan has ratified the International Covenant on Civil and Political Rights (ICCPR). We also welcome signing the Death Penalty (Suspension) Act, which introduced a moratorium on the pronouncement of death sentences. Is the Government of Tajikistan considering ratifying the Second Optional Protocol, aiming at the abolition of the death penalty?
- The violence against women remains a serious problem. According to Amnesty International, between one third and half of all women suffer physical, psychological or sexual violence at the hands of their husbands or other family members at some time during their lives. Could you provide more information whether Tajikistan intends to treat this violence as a criminal offence? Is Tajikistan considering enacting the existing draft Bill on Social and Legal Protection against Domestic Violence?
- Is the Government of Tajikistan considering ratifying the Convention and the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (OP-CEDAW)?
- The Czech Republic welcomes the adoption of the National Plan of Action for Children for 2003-2010. However, the child abuse remains a problem. The Czech Republic would like to know, whether the Government of Tajikistan intends to create any government body to address the issues of violence against children?
- Is Tajikistan considering becoming a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction?
- Does Tajikistan intend to sign the UN Convention on the Rights of Persons with Disabilities?
- The Czech Republic welcomes the establishment of the Human Rights Ombudsman Institution. Is Tajikistan considering establishing a Children's Rights Ombudsman?
- The Czech Republic is concerned that Tajikistan remains a country of origin and transit for trafficked women and girls. Furthermore, there was alleged involvement of officials in acts of human trafficking. Is Tajikistan considering enforcing the Trafficking in Persons Act and intensifying international and bilateral cooperation in order to further curb the phenomenon?

NORWAY

- Norway encourages the strengthening of the Ombudsman's Office, and would appreciate comments from the government regarding future plans for strengthening the capacity and autonomy of the institution.

- What measures are being implemented to protect freedom of religion in Tajikistan and to ensure that the laws and practices regarding religious freedom are in compliance with international treaties?
- What measures are being taken to ensure equal rights and freedom for all religious faiths in Tajikistan?
- What steps are being taken to encourage and ensure the freedom of speech in Tajikistan, particularly with regards to the conditions for independent media?