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Compilation on Tajikistan

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a compilation of information contained in reports of treaty bodies and special procedures and other relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with international human rights mechanisms and bodies^{1, 2}

2. The Committee on the Rights of the Child recommended that Tajikistan consider ratifying the core human rights instruments to which it was not yet a party.³ The Office of the United Nations High Commissioner for Refugees (UNHCR) recommended that Tajikistan accede to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.⁴

3. The Committee on the Elimination of Discrimination against Women recommended that Tajikistan ratify the International Labour Organization's Maternity Protection Convention, 2000 (No. 183), and the Workers with Family Responsibilities Convention, 1981 (No. 156).⁵ The Committee on the Rights of the Child recommended that Tajikistan consider acceding to the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption.⁶

4. The United Nations country team and the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression recommended that Tajikistan extend an invitation to the Special Rapporteur on the independence of judges and lawyers.⁷ The Working Group on Enforced or Involuntary Disappearances recommended that it consider extending invitations to the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism and the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence.⁸



III. National human rights framework⁹

5. The United Nations country team noted the limited progress towards achieving the full compliance of the Commissioner for Human Rights (Ombudsman) with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). The selection process was neither transparent nor participatory and the Commissioner lacked human and financial resources. It recommended that Tajikistan revise the Law on the Commissioner for Human Rights and bring the institution into full compliance with the Paris Principles.¹⁰ Several treaty bodies had similar concerns and recommendations.¹¹

6. While noting that several thematic action plans had been adopted, the United Nations country team observed that effective implementation of human rights obligations was undermined by a lack of clear indicators, sufficient budget allocations and effective follow-up mechanisms.¹² The Working Group on Enforced or Involuntary Disappearances noted that, despite noticeable progress, the legislative and institutional framework on human rights remained unfinished.¹³

7. The United Nations country team noted the absence of effective mechanisms and legal procedures to implement fully the treaty bodies' Views.¹⁴

IV. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

1. Equality and non-discrimination¹⁵

8. The Human Rights Committee recommended that Tajikistan adopt a comprehensive anti-discrimination law and ensure that its legal framework provided adequate and effective protection against all forms of direct, indirect and multiple discrimination, including in the private sphere, on all prohibited grounds, and access to effective and appropriate remedies for victims of discrimination.¹⁶ The Committee on the Elimination of Racial Discrimination recommended further efforts to mount awareness campaigns to combat prejudices and negative stereotypes towards minority ethnicities such as Roma/Jughi and Pamiri, and promote understanding and tolerance among all ethnicities.¹⁷

9. The Committee on the Elimination of Discrimination against Women recommended that Tajikistan expeditiously adopt and implement a comprehensive strategy to eradicate gender stereotypes and patriarchal attitudes, and strengthen its application of temporary special measures to accelerate progress towards substantive equality between women and men.¹⁸

10. The Human Rights Committee noted reports of deep-rooted discrimination against lesbian, gay, bisexual and transgender individuals, including homophobic and transphobic rhetoric by public officials, violence and harassment, arbitrary arrest, detention and extortion by law enforcement officials.¹⁹ The Committee against Torture recommended that Tajikistan publicly condemn acts of torture and other types of abuse against lesbian, gay, bisexual, transgender and intersex persons.²⁰ The United Nations country team highlighted the authorities' failure to implement human rights mechanisms' recommendations in that area.²¹

2. Development, the environment, and business and human rights²²

11. The Committee on the Rights of the Child recommended that Tajikistan dedicate the necessary resources to implement the National Development Strategy (2030).²³ The Committee on the Elimination of Discrimination against Women urged Tajikistan to recognize women as the driving force of its sustainable development.²⁴

12. The Working Group on Enforced or Involuntary Disappearances noted that Tajikistan reportedly suffered from widespread corruption.²⁵ The Committee on Economic, Social and Cultural Rights highlighted the widespread practice of bribery in accessing the justice system and public services, including health-care services.²⁶ The Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families recommended that Tajikistan intensify its efforts to combat corruption, effectively and thoroughly investigate all cases of corruption and ensure that those responsible were held accountable.²⁷ The Human Rights Committee recommended that Tajikistan revise the Criminal Code to give effect to the recommendations of the Organization for Economic Cooperation and Development on corruption.²⁸

13. The Special Rapporteur on the human rights to safe drinking water and sanitation highlighted the difficulties faced by those relocated as a result of mega-projects, referring in particular to the Rogun Dam and Hydropower Plant.²⁹ A large number of displaced families lacked regular access to water for drinking and farming.³⁰ He recommended that Tajikistan conduct human rights impact assessments for any development projects.³¹

3. Human rights and counter-terrorism

14. The Human Rights Committee stressed that Tajikistan had reportedly used emergency powers, including as a counter-terrorism measure on the basis of the Electronic Communications Act and the Counter-Terrorism Act, such as blocking access to the Internet and mobile communication services but without a court order and without declaring a state of emergency.³²

15. The Committee noted the broad and vague definitions of terrorism, extremism and public justification of terrorist and extremist activity, and the reported misuse of legislation to limit and repress the freedom of expression of political dissidents and religious groups. It recommended that Tajikistan bring current counter-terrorism and counter-extremism regulations into full compliance with the International Covenant on Civil and Political Rights.³³

B. Civil and political rights

1. Right to life, liberty and security of person³⁴

16. The Working Group on Enforced or Involuntary Disappearances noted examples of opposition members disappearing and of attempted disappearances of their relatives.³⁵ The practice of enforced disappearance of a short duration, particularly following initial apprehension, and the use of administrative apprehension and arrest were widespread.³⁶ Allegations persisted of the disappearance of apprehended suspects before their formal registration, notification of the relatives and placement in temporary detention facilities.³⁷ In several cases, recently and in the past, Tajik individuals residing abroad, reportedly political opponents, had been forcibly returned to Tajikistan. Some of those individuals had appeared in detention in Tajikistan after short periods of enforced disappearance, while in a few instances their whereabouts remained unknown.³⁸ A robust course of action to counter enforced disappearance and torture was still lacking.³⁹ The Working Group urged Tajikistan to consider including in the revised Criminal Code the criminalization of enforced disappearance as defined in international law.⁴⁰

17. The Special Rapporteur on freedom of expression urged Tajikistan to release all political activists, lawyers and journalists allegedly detained on arbitrary grounds.⁴¹ The Working Group on Arbitrary Detention found the detention of several individuals arbitrary and urged Tajikistan to release them immediately and accord them an enforceable right to compensation and other reparations, in accordance with international law.⁴² The Working Group on Enforced or Involuntary Disappearances recommended that the Government introduce legislative and regulatory measures to address the lack of a national system of detention registration.⁴³

18. The Committee against Torture observed that detained persons did not enjoy, in practice, all the fundamental legal safeguards and that domestic legislation did not provide

the same protection for those detained on administrative charges as for those detained on criminal charges.⁴⁴ The Working Group on Enforced or Involuntary Disappearances noted practices of obstructing suspects' access to a lawyer upon initial apprehension and eluding procedural guarantees using administrative apprehension and arrest.⁴⁵ It recommended that the procedural guarantees introduced through amendments to the Code of Criminal Procedure and the Act on Procedures and Conditions for the Custody of Suspects, Accused Persons and Defendants be extended to all acts of apprehension, including administrative apprehension and arrest,⁴⁶ and that the new legal guarantees on notification and registration following initial apprehension be systematically implemented in practice.⁴⁷

19. The Committee against Torture, the Human Rights Committee and the Working Group on Enforced or Involuntary Disappearances expressed concern about reported deaths in custody and detention conditions.⁴⁸ The latter stressed that isolation cells were reportedly used to hold detainees incommunicado.⁴⁹ The Human Rights Committee noted the lack of information on any prompt, independent and impartial investigations into the deaths of prisoners during the prison riots in Khujand (2018) and Vahdat (2019).⁵⁰

20. The United Nations country team stressed that the Monitoring Group under the Commissioner for Human Rights was not independent.⁵¹ The Human Rights Committee recommended that Tajikistan ensure that the Monitoring Group and the International Committee of the Red Cross enjoyed unhindered access to all places of deprivation of liberty and were able to conduct private interviews.⁵² The Committee against Torture recommended that Tajikistan allow non-governmental organizations to visit all such places outside the context of the Monitoring Group.⁵³

21. The Human Rights Committee expressed concern about reports of torture or ill-treatment of persons deprived of their liberty, particularly for the purposes of extracting confessions; admission of evidence obtained under torture by domestic courts, despite such evidence being inadmissible in law; the absence of an independent mechanism to investigate all allegations; and the low number of investigations and prosecutions.⁵⁴ The Committee against Torture noted that victims were eligible to file a complaint for redress only after perpetrators of torture had been charged.⁵⁵ The Working Group on Enforced or Involuntary Disappearances recommended that Tajikistan systematically investigate all alleged cases of torture and ill-treatment.⁵⁶

2. Administration of justice, including impunity, and the rule of law⁵⁷

22. The Human Rights Committee noted allegations of unfair trials, including a bias in favour of the prosecution, violation of the presumption of innocence and an extremely low acquittal rate.⁵⁸ The Special Rapporteur on freedom of expression stated that trials of members of the Islamic Renaissance Party and their lawyers had not met fair trial standards and should be annulled.⁵⁹

23. The Human Rights Committee noted that the judiciary was not fully independent owing, *inter alia*, to the role and influence of the executive and legislative branches, the criteria for selection, appointment, reappointment and dismissal of judges, and the lack of security of tenure of judges.⁶⁰ The United Nations country team added that the judicial reform programme (2019–2021) failed to address many of the human rights mechanisms' recommendations.⁶¹ The Committee on Economic, Social and Cultural Rights asked about the reform of the selection process for judges.⁶²

24. The Human Rights Committee and the Committee against Torture noted the dramatic drop in the number of lawyers following amendments (2015) to the Advokatura and Advocates' Activities Act.⁶³ The United Nations country team recommended that Tajikistan ensure the independence of the Qualification Commission of the Bar.⁶⁴ The Human Rights Committee and the Working Group on Enforced or Involuntary Disappearances referred to reported harassment and intimidation of lawyers who took up politically sensitive cases.⁶⁵

25. The United Nations country team highlighted the lack of effective access for vulnerable groups to legal assistance owing to existing legal gaps, the shortage of lawyers and insufficient funding.⁶⁶ The Committee on the Elimination of Discrimination against Women recommended that Tajikistan ensure access for all women and girls to an effective, confidential and gender-sensitive complaint mechanism.⁶⁷

26. The Committee against Torture observed that the juvenile criminal justice system lacked juvenile courts and specialized judges, and that children were frequently placed in pretrial detention and isolation cells in the juvenile colony as a disciplinary measure.⁶⁸ The Committee on the Rights of the Child urged Tajikistan to align its juvenile justice system fully with the Convention on the Rights of the Child and other relevant standards.⁶⁹

27. The Human Rights Committee recommended that Tajikistan ensure that those responsible for killing and wounding civilians during the security operation in Khorugh (2012) were identified, prosecuted and convicted and that victims and their families received full reparation.⁷⁰

28. The Working Group on Enforced or Involuntary Disappearances stressed that the violations of human rights and international humanitarian law committed during the civil war remained unaddressed.⁷¹ It recommended that Tajikistan adopt a comprehensive truth-seeking State policy to address past abuses on all sides, encompassing the rights of all victims to truth, justice, reparation and remembrance.⁷²

3. Fundamental freedoms and the right to participate in public and political life⁷³

29. The Human Rights Committee noted that the current electoral framework provided for undue limitations on the rights to stand for elections and to vote. It referred to the insufficient independence of the Central Commission for Elections and Referendums and the reported irregularities during the 2015 parliamentary elections.⁷⁴

30. The Working Group on Enforced or Involuntary Disappearances noted that the centralization and personification of State power had contributed to the suppression of any dissent elements and to serious restrictions on fundamental human rights and civil liberties.⁷⁵ The policy of criminal prosecution and imprisonment extended to government critics, including social activists, journalists, human rights defenders and lawyers, who faced reprisals for speaking out.⁷⁶ It had observed extensive self-censorship and fear.⁷⁷ The classification of some opposition parties as “extremist” and “terrorist” and escalating harassment and imprisonment of their members had led to alleged extraterritorial abduction and enforced disappearance.⁷⁸ It recommended that Tajikistan prohibit any surveillance, threats, intimidation and harassment of human rights lawyers and civil society and create an enabling environment for their work.⁷⁹

31. The United Nations country team reported that enjoyment of the right to freedom of expression, especially access to information, had continued to deteriorate.⁸⁰ The Human Rights Committee noted: the criminalization of insulting or libelling the President and insulting other State officials; State control over the media, resulting in journalists’ self-censorship; the required registration of all new periodicals and printing houses with the State Committee for National Security, pursuant to 2017 regulations; the blocking of media and search platforms and social media; the lack of independence of the broadcasting and licensing authority; and harassment of independent journalists and media workers for critically reporting on State policies and other matters of public interest, including through the use of civil defamation suits.⁸¹ The Special Rapporteur on freedom of expression urged Tajikistan to ensure that journalists’ accreditations were not arbitrarily revoked, and to investigate and strongly condemn their alleged harassment.⁸² The United Nations Educational, Scientific and Cultural Organization (UNESCO) and the United Nations country team recommended that Tajikistan review its licensing and accreditation procedures to align them with international standards.⁸³ UNESCO and the Special Rapporteur recommended that Tajikistan fully decriminalize defamation.⁸⁴

32. The United Nations country team and UNESCO noted that, in 2020, Tajikistan had amended the Code of Administrative Offences to punish people for spreading “false” or “inaccurate” information about the coronavirus disease (COVID-19).⁸⁵

33. The Human Rights Committee noted reports of frequent inspections of non-governmental organizations resulting in fines or even closure, and the chilling effect on their activities as a result of the financial reporting requirements introduced by the amendments to the Public Associations Act (2019).⁸⁶ Various treaty bodies and special rapporteurs recommended that Tajikistan review those amendments.⁸⁷ The Committee on Economic, Social and Cultural Rights requested information about measures taken not to abuse or

misinterpret article 14 of the law on non-governmental associations to impede the registration of civil society organizations, and about the draft law on non-commercial organizations.⁸⁸ The Special Rapporteur on water and sanitation recommended that Tajikistan provide a wider and more open space for civil society.⁸⁹

34. The Special Rapporteur on freedom of expression recommended that Tajikistan strengthen its cooperation with human rights defenders and civil society.⁹⁰ The Committee on the Elimination of Discrimination against Women recommended that Tajikistan duly investigate alleged intimidation or reprisal against civil society activists.⁹¹

35. The Human Rights Committee recommended that Tajikistan revise its laws, regulations and practices, including the 2014 Meetings, Rallies, Demonstrations and Processions Act, to guarantee freedom of assembly.⁹²

36. The Human Rights Committee expressed concern about State interference in religious affairs, worship and freedom of religion.⁹³ The United Nations country team and the Special Rapporteur on freedom of expression urged Tajikistan to align the Freedom of Conscience and Religious Associations Act with international human rights standards.⁹⁴

37. The United Nations country team and the Human Rights Committee recommended that Tajikistan recognize the right to conscientious objection to military service.⁹⁵

4. Prohibition of all forms of slavery⁹⁶

38. The Committee on the Elimination of Racial Discrimination stressed that Tajikistan was a source of trafficking in women and children and recommended that it prosecute perpetrators and provide protection, assistance and reparation to victims.⁹⁷ The Committee on the Rights of the Child recommended that Tajikistan adopt the by-laws necessary to enforce the Act on Trafficking in Persons and Assistance to Victims (2014).⁹⁸ The Committee on the Elimination of Discrimination against Women recommended that Tajikistan ensure the effective enforcement and regular monitoring of, and adequate budget allocation to, the implementation of that Act and the national plan for the prevention of trafficking in persons.⁹⁹

5. Right to privacy and family life¹⁰⁰

39. The Human Rights Committee observed that the amendments to the Operative and Search Activity Act (2017) and presidential decree No. 765 (2016), establishing a single communications switching centre, did not afford sufficient safeguards against arbitrary interference with individual privacy. It noted reports that individuals were subject to surveillance and were fined, punished and even detained or imprisoned for visiting “undesirable websites” or posting “inappropriate comments” online.¹⁰¹ The Special Rapporteur on freedom of expression urged Tajikistan to dismantle that centre.¹⁰²

40. The Committee on the Elimination of Discrimination against Women expressed concern about the introduction into the Family Code, in 2016, of mandatory check-ups that were reportedly used to perform “virginity tests” for future brides. It recommended that Tajikistan eradicate that practice and revise the Family Code accordingly.¹⁰³

C. Economic, social and cultural rights

1. Right to work and to just and favourable conditions of work¹⁰⁴

41. The United Nations Population Fund (UNFPA) stressed that youth unemployment remained high.¹⁰⁵ The Committee on Economic, Social and Cultural Rights asked Tajikistan about measures taken to improve employment among young people and persons with disabilities, to provide a legal definition of the informal economy, and to protect workers in the informal economy and in non-traditional forms of employment.¹⁰⁶ It requested information about steps taken to review legislation relating to labour inspection, with a view to enhancing its effectiveness,¹⁰⁷ and section 323 (2) of the Labour Code, which required a threshold, considered excessive, to declare a strike.¹⁰⁸

42. The Committee on the Elimination of Discrimination against Women noted the persistent gender pay gap and vertical and horizontal occupational segregation in the labour

market, the concentration of women in the informal sector and in low-paying jobs, the low level of labour participation among women, and the absence of social security coverage.¹⁰⁹ It recommended that Tajikistan adopt temporary special measures to create more opportunities for women to gain access to formal, higher-paying and male-dominated sectors and to close the gender pay gap, and to repeal articles 160, 161 and 216 of the Labour Code and the list of occupations for which the employment of women was restricted or prohibited.¹¹⁰

43. The Committee on the Rights of the Child expressed serious concern that, reportedly, approximately a quarter of all children aged between 5 and 17 from families facing social and economic hardships were engaged in economic activity.¹¹¹ It recommended that Tajikistan prevent the sale of children for the purpose of child forced labour, particularly in the agriculture sector, and effectively enforce the legal framework prohibiting forced labour;¹¹² criminalize forced labour as a form of the sale of children;¹¹³ and adopt comprehensive and targeted protection and prevention measures and programmes for children engaged in child labour.¹¹⁴ The United Nations country team recommended that Tajikistan reinforce the capacity of the child labour monitoring system to identify children involved in the worst forms of child labour.¹¹⁵ The Committee on Economic, Social and Cultural Rights inquired about progress achieved through the national action programme to eliminate the worst forms of child labour (2015–2020).¹¹⁶

44. The Committee on Economic, Social and Cultural Rights noted reports about the Government's influence over organized labour, including over the selection of labour union leaders.¹¹⁷

2. Right to social security¹¹⁸

45. The Committee on Economic, Social and Cultural Rights asked Tajikistan what measures were included in the national social protection strategy (2019–2025) to address the gaps and obstacles in the effective implementation of existing social protection programmes, and about efforts made to eliminate any discriminatory effects on women within the pension system.¹¹⁹

46. The Committee on the Rights of the Child recommended that Tajikistan substantially increase its social and financial support and benefits to vulnerable families and provide social protection for the children of labour migrants and their families.¹²⁰ The United Nations country team recommended that Tajikistan improve access to social security for persons with disabilities.¹²¹

3. Right to an adequate standard of living¹²²

47. The Committee on Economic, Social and Cultural Rights requested information on the status of the new draft housing code, the adoption of a comprehensive policy on housing, measures taken to address the serious housing shortage, the provision of social housing, and legal protection against forced evictions.¹²³

48. The Committee on the Rights of the Child stressed that a significant proportion of the rural population consumed an insufficient amount of food and that many citizens could not afford basic food items. It recommended that Tajikistan ensure food security and access to good-quality nutrition, including by adopting the intersectoral framework plan of action on nutrition to ensure the functioning of the National Nutrition Platform.¹²⁴

49. The Committee on Economic, Social and Cultural Rights noted large regional and socioeconomic disparities in availability, accessibility, affordability and quality of safe drinking water and adequate sanitation.¹²⁵ The Special Rapporteur on water and sanitation noted the leading role of Tajikistan in promoting water management at the global level.¹²⁶ He recommended that Tajikistan translate that commitment into national legislation and policies, budgetary allocation and implementation, particularly to eliminate disparities in access to water and sanitation and address the needs of the most vulnerable groups;¹²⁷ invest in sanitation and water services to guarantee affordable services for poor and marginalized people;¹²⁸ align the revised Water Code and Drinking Water Supply Law with the human rights to water and sanitation;¹²⁹ and prioritize rural water and sanitation.¹³⁰

4. Right to health¹³¹

50. The United Nations country team stressed that budgetary constraints, a shortage of medical professionals and poor infrastructure had restricted access to health-care services, especially for vulnerable groups.¹³² The Committee on the Rights of the Child said that State funding for health service delivery was insufficient and ineffective.¹³³

51. The Committee on the Elimination of Discrimination against Women noted the high maternal mortality rate.¹³⁴ The United Nations country team recommended that Tajikistan increase financing in the health sector, especially in maternal and child health-care services.¹³⁵

52. The United Nations country team noted the Government's failure to introduce effective family planning services, raise awareness of sexual and reproductive rights and ensure access to affordable contraceptives.¹³⁶ The State Programme on Reproductive Health (2019–2022) neither applied a gender-sensitive approach nor considered the special needs of women and girls with disabilities.¹³⁷

53. The United Nations country team noted that criminal prosecution of persons living with HIV/AIDS resulted in significant underreporting and limitation of access to treatment.¹³⁸ The Committee on the Elimination of Discrimination against Women recommended that Tajikistan decriminalize the transmission of HIV/AIDS.¹³⁹ The United Nations country team recommended that Tajikistan amend the Family Code to make HIV testing voluntary and confidential.¹⁴⁰

54. The Committee on the Elimination of Discrimination against Women recommended that Tajikistan adopt a comprehensive legal and policy framework for mental health.¹⁴¹ The United Nations country team recommended that Tajikistan include autism-related conditions in the list of disabilities and expand the list of mental conditions.¹⁴²

55. The Committee on Economic, Social and Cultural Rights asked about measures taken to mitigate the impact of the COVID-19 pandemic on disadvantaged and marginalized individuals and groups and to provide accurate and accessible information about the pandemic.¹⁴³

5. Right to education¹⁴⁴

56. The United Nations country team noted allegations of widespread corruption in the education sector, which increased the burden on low-income families and created barriers to education.¹⁴⁵ The Committee on the Rights of the Child recommended that Tajikistan increase the quality of education, recruitment and continuous training of teachers, and construction of educational facilities.¹⁴⁶

57. The Committee on the Elimination of Discrimination against Women highlighted the low enrolment rate of girls and their high dropout rates at the secondary and higher education levels, recommending that Tajikistan eliminate negative stereotypes and other barriers hindering access for women and girls to education.¹⁴⁷ UNESCO recommended that Tajikistan lower dropout rates, particularly among women.¹⁴⁸

58. The United Nations country team referred to the predominant segregated approach to education of children with disabilities in special institutions.¹⁴⁹ UNESCO recommended that Tajikistan ensure access to inclusive education for all persons with disabilities.¹⁵⁰ The Committee on the Elimination of Discrimination against Women recommended that it enhance reasonable accommodation in education, transport and schools.¹⁵¹ The Committee on the Rights of the Child recommended that it adopt the draft education code, containing a chapter on inclusive education, and implement the National Education Development Strategy (2012–2020), which referred to the transition of children with disabilities to the general education system.¹⁵²

59. While recognizing efforts to increase the number of textbooks in minority languages, train teachers and promote ethnic minority languages, the Committee on the Elimination of Racial Discrimination noted the decrease in instruction in Uzbek, Russian, Kyrgyz and Turkmen and the absence of the Pamiri and Yaghnobi languages in the curriculum,

recommending that Tajikistan ensure access for ethnic minorities to instruction in minority languages.¹⁵³

60. The Committee on the Rights of the Child recommended that Tajikistan amend the Act on Parental Responsibility for the Education and Raising of Children, which restricted religious education to only State-licensed institutions and children aged 7 or over, and prohibited children from entering mosques.¹⁵⁴ The Special Rapporteur on freedom of expression and the United Nations country team recommended that Tajikistan align that Act with international human rights law standards.¹⁵⁵

D. Rights of specific persons or groups

1. Women¹⁵⁶

61. The United Nations country team recommended that Tajikistan strengthen the Committee on Women and Family Relations and ensure its adequate funding, and strengthen the collection of relevant gender-disaggregated statistical data.¹⁵⁷ The Committee on the Elimination of Discrimination against Women recommended that Tajikistan apply a gender-sensitive approach in implementing legislation, policies and programmes.¹⁵⁸

62. The Human Rights Committee noted that women were underrepresented in public and political life.¹⁵⁹ The Committee on the Elimination of Discrimination against Women recommended that Tajikistan implement temporary special measures to accelerate equal representation in all areas of public and political life, particularly in decision-making positions, at the national and local levels and in the foreign service.¹⁶⁰

63. The Human Rights Committee noted that, despite its prohibition by law, polygamy reportedly persisted in practice.¹⁶¹ The Committee on the Elimination of Discrimination against Women recommended that Tajikistan ensure that *nikokh* (religious marriages) did not violate the prohibition of bigamy and polygamy.¹⁶²

64. The latter Committee observed that gender-based violence against women remained widespread but underreported.¹⁶³ The Committee on Economic, Social and Cultural Rights referred to a reportedly significant increase in domestic violence during the pandemic.¹⁶⁴ The Committee against Torture noted reliable reports that many police officers refused to record complaints of violence against women.¹⁶⁵ The United Nations country team described the shortcomings of existing legislation, namely the Law on the Prevention of Domestic Violence.¹⁶⁶ The Committee against Torture observed that neither marital rape nor domestic violence were criminal offences.¹⁶⁷ The Committee on the Elimination of Discrimination against Women recommended that Tajikistan develop a comprehensive strategy and action plan to eliminate all forms of gender-based violence against women and expedite the adoption of legislation criminalizing all forms of gender-based violence.¹⁶⁸

65. The latter Committee, noting that the majority of rural women were employed in the informal sector and their situation remained precarious, recommended that Tajikistan ensure their access to education, health care, housing, formal employment, social security and retirement schemes, lifelong training opportunities, and ownership and use of land, taking into account their specific needs.¹⁶⁹

2. Children¹⁷⁰

66. While welcoming policies and programmes in various areas concerning children, the Committee on the Rights of the Child encouraged Tajikistan to adopt a comprehensive national policy and strategy on children, supported by sufficient human, technical and financial resources.¹⁷¹

67. The Committee urged to continue facilitating access to birth registration by expanding the use of mobile civil registration units, speeding up processing times, removing all additional costs, simplifying the requirements for supporting documentation and encouraging the reporting of at-home births.¹⁷²

68. The Committee observed that child victims of prostitution appeared to be viewed as offenders rather than victims.¹⁷³ The United Nations country team, noting that the actual scale

of sexual violence against children was unknown, recommended that Tajikistan qualify as rape any sexual intercourse with a person below the minimum age.¹⁷⁴ The Committee recommended that Tajikistan strengthen support for child victims of violence and ensuring their access to adequate services for recovery and counselling.¹⁷⁵

69. The Committee on the Elimination of Discrimination against Women noted the high incidence of child and forced marriages and the decline in the official registration of marriages. It recommended that Tajikistan establish mechanisms to detect cases of child and forced marriages, and ensure that *nikokh* did not violate the minimum legal age of marriage.¹⁷⁶

70. The Committee against Torture, the Committee on the Rights of the Child and UNESCO recommended that Tajikistan amend national legislation to clearly prohibit and prevent all corporal punishment of children.¹⁷⁷

71. The Committee on the Rights of the Child recommended that Tajikistan immediately cease raids in which children in street situations were apprehended and detained without cause, and provide targeted social assistance and protection services for their recovery and reintegration;¹⁷⁸ and strengthen efforts to support children who were victims or were at risk of becoming victims of offences under the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.¹⁷⁹

72. The Committee recommended that Tajikistan implement the regulations on tutorship/guardianship agencies (2017) to ensure adequate safeguards and clear criteria for determining whether a child should be placed in alternative care, based on the child's needs, views and best interests, and adopt the draft new model regulations for children's homes to improve the standard of care in such facilities.¹⁸⁰

73. The Committee recommended that Tajikistan establish an identification process for children who might have been recruited or used in hostilities abroad, and take the measures necessary for their physical and psychological recovery and social reintegration.¹⁸¹

3. Persons with disabilities¹⁸²

74. The United Nations country team stressed that the outdated procedure for determining disability did not meet international standards.¹⁸³ The Committee on the Rights of the Child urged Tajikistan to adopt a human rights-based approach to disability.¹⁸⁴

75. The Committee on Economic, Social and Cultural Rights noted reported abuse of persons with disabilities, including forced abortions, forced administration of drugs and the denial of the right to family life in semi-closed institutions.¹⁸⁵

76. The United Nations country team observed that disability was not assigned to children until the age of 2, depriving them of access to disability benefits. Disability certification services were bureaucratic, inaccessible and expensive. Periodic re-examinations to certify disability were an unnecessary burden on persons with disabilities and their families.¹⁸⁶

77. The Committee on the Rights of the Child urged Tajikistan to adopt a comprehensive strategy for the inclusion of children with disabilities.¹⁸⁷

4. Minorities

78. The Committee on the Elimination of Racial Discrimination urged Tajikistan to ensure the equitable political representation and participation of ethnic minorities and improve their representation within all public institutions at the federal and local levels, including through special measures.¹⁸⁸

79. The Committee noted the challenges faced by Roma/Jughi in obtaining personal documents, registration at their place of residence, legalization of housing, access to quality education, health, social services and protection against exploitation and harmful traditional practices. It recommended Tajikistan adopt a strategy or plan to improve their situation.¹⁸⁹

5. Migrants, refugees and asylum seekers¹⁹⁰

80. The United Nations country team noted that while the Government had taken measures to strengthen the protection of migrant workers, it had failed to adopt a strategy for

their return and reintegration or support their families.¹⁹¹ The Committee on Migrant Workers expressed concern regarding the situation of Tajik migrant returnees.¹⁹²

81. The Committee recommended that Tajikistan adopt a bill on labour migration and a comprehensive gender-responsive and human rights-based migration policy and strategy, addressing the rights of foreign migrant workers and their families.¹⁹³

82. Expressing concern about operations to search, identify and expel illegal foreign migrant workers, the Committee recommended that Tajikistan ensure that the grounds for expulsion were clearly stipulated in law and that there was sufficient time and clear procedures were in place for migrant workers to challenge an administrative order of expulsion.¹⁹⁴

83. The Committee noted the lack of sufficient guarantees to protect the rights of Tajik migrant workers in third countries, including regarding social security, pensions and health care,¹⁹⁵ and the overall inadequacy of consular assistance and protection provided to them.¹⁹⁶ It recommended that Tajikistan ensure that the rights of children who migrated abroad were fully protected and that children were not separated from their parents or primary caregivers.¹⁹⁷

84. UNHCR noted that the asylum and refugee situation in Tajikistan was heavily affected by national security concerns.¹⁹⁸ Despite significant amendments to the refugee legislative framework, requirements hindering access to asylum remained.¹⁹⁹ UNHCR recommended that Tajikistan develop internal regulations on refugee status determination, including terms of reference for the competent interministerial commission, guaranteeing unhindered and fair access to asylum procedures.²⁰⁰ UNHCR and the United Nations country team recommended that Tajikistan amend article 335 (1) of the Criminal Code to ensure that asylum seekers were not penalized for illegal entry.²⁰¹

85. UNHCR, the United Nations country team and several treaty bodies recommended that Tajikistan repeal resolutions 325 and 328, which prohibited refugees and asylum seekers from living in certain urban areas, so as to ensure their freedom of movement and residence.²⁰²

86. The Committee on the Rights of the Child recommended that Tajikistan adopt a comprehensive integration policy for asylum-seeking and refugee children, such that they were guaranteed access to education, including Tajik literacy classes, health services and the National Social Protection Scheme.²⁰³

87. UNHCR noted the impact of the COVID-19 pandemic on refugees and asylum seekers.²⁰⁴

6. Stateless persons

88. UNHCR recommended that Tajikistan amend the Law on Civil Registration to ensure universal birth registration of all children born in the country, regardless of parents' legal status and the availability of identity documents.²⁰⁵

89. The Committee on Economic, Social and Cultural Rights requested information on the prevalence of statelessness, including persons with undetermined nationality.²⁰⁶ UNHCR welcomed the adoption by parliament in 2019 of an amnesty law to legalize stateless persons and foreign nationals residing illegally in Tajikistan.²⁰⁷

90. UNHCR noted that the stateless population, while having access to health care, could not benefit from social allowance as part of the national COVID-19 response plan.²⁰⁸

Notes

¹ Tables containing information on the scope of international obligations and cooperation with international human rights mechanisms and bodies for Tajikistan will be available at www.ohchr.org/EN/HRBodies/UPR/Pages/TJindex.aspx.

² For relevant recommendations, see A/HRC/33/11, paras. 115.1–115.12, 115.14, 115.33–115.35, 115.37, 115.52–115.57, 115.61–115.62, 115.68, 115.89, 116.1–116.2 and 117.1–117.14. See also

- A/HRC/33/11/Add.1, paras. 118.1–118.9, 118.14–118.20 and 118.26.
- ³ CRC/C/TJK/CO/3-5, para. 50. See also CCPR/C/TJK/CO/3, para. 28; CAT/C/TJK/CO/3, para. 28 (f); CEDAW/C/TJK/CO/6, para. 50; A/HRC/45/13/Add.1, paras. 71 (b) and 73 (c); A/HRC/33/49/Add.2, para. 59 (o); and A/HRC/42/47/Add.6, paras. 13 and 16.
- ⁴ UNHCR submission for the universal periodic review of Tajikistan, p. 3, recommendation (a). See also CEDAW/C/TJK/CO/6, para. 34 (c); CRC/C/TJK/CO/3-5, para. 41 (b); and CERD/C/TJK/CO/9-11, para. 18.
- ⁵ CEDAW/C/TJK/CO/6, para. 38 (g).
- ⁶ CRC/C/TJK/CO/3-5, para. 27 (b).
- ⁷ United Nations country team submission for the universal periodic review of Tajikistan, para. 15 (1), and A/HRC/35/22/Add.2, para. 74.
- ⁸ A/HRC/45/13/Add.1, paras. 30 and 74 (e).
- ⁹ For relevant recommendations, see A/HRC/33/11, paras. 115.13–115.24, 115.26, 115.32–115.33, 115.62, 115.89 and 117.7–117.10. See also A/HRC/33/11/Add.1, paras. 118.10–118.14, 118.26 and 118.37.
- ¹⁰ United Nations country team submission, paras. 10–11.
- ¹¹ CAT/C/TJK/CO/3, paras. 15–16; CMW/C/TJK/CO/2, paras. 20–21; CCPR/C/TJK/CO/3, paras. 9–10; CEDAW/C/TJK/CO/6, paras. 17–18; and CERD/C/TJK/CO/9-11, paras. 23–24. See also A/HRC/45/13/Add.1, para. 20, and E/C.12/TJK/Q/4, para. 3.
- ¹² United Nations country team submission, para. 8.
- ¹³ A/HRC/45/13/Add.1, para. 19.
- ¹⁴ United Nations country team submission, para. 5.
- ¹⁵ For relevant recommendations, see A/HRC/33/11, paras. 115.36, 115.38–115.40, 115.43–115.44, 115.85, 115.87 and 115.90. See also A/HRC/33/11/Add.1, paras. 118.21, 118.23 and 118.45.
- ¹⁶ CCPR/C/TJK/CO/3, para. 14. See also United Nations country team submission, para. 22; CEDAW/C/TJK/CO/6, para. 12 (a); E/C.12/TJK/Q/4, para. 9; and CERD/C/TJK/CO/9-11, para. 8.
- ¹⁷ CERD/C/TJK/CO/9-11, para. 28.
- ¹⁸ CEDAW/C/TJK/CO/6, paras. 22 (a) and 24 (a).
- ¹⁹ CCPR/C/TJK/CO/3, para. 15. See also CAT/C/TJK/CO/3, para. 49, and E/C.12/TJK/Q/4, para. 9.
- ²⁰ CAT/C/TJK/CO/3, para. 50.
- ²¹ United Nations country team submission, para. 30.
- ²² For relevant recommendations, see A/HRC/33/11, paras. 115.90, 115.92–115.97 and 115.117. See also A/HRC/33/11/Add.1, para. 118.31.
- ²³ CRC/C/TJK/CO/3-5, para. 37.
- ²⁴ CEDAW/C/TJK/CO/6, para. 7.
- ²⁵ A/HRC/45/13/Add.1, para. 8. See also CCPR/C/TJK/CO/3, para. 11; E/C.12/TJK/Q/4, para. 8 (c); and CMW/C/TJK/CO/2, para. 26.
- ²⁶ E/C.12/TJK/Q/4, para. 8 (a). See also CCPR/C/TJK/CO/3, para. 11.
- ²⁷ CMW/C/TJK/CO/2, para. 27.
- ²⁸ CCPR/C/TJK/CO/3, para. 12.
- ²⁹ A/HRC/42/47/Add.6, para. 62, and A/HRC/33/49/Add.2, paras. 49–50. See also E/C.12/TJK/Q/4, para. 21.
- ³⁰ A/HRC/42/47/Add.6, para. 62, and A/HRC/33/49/Add.2, para. 50.
- ³¹ A/HRC/33/49/Add.2, para. 59 (m).
- ³² CCPR/C/TJK/CO/3, para. 21.
- ³³ *Ibid.*, paras. 23–24. See also United Nations country team submission, para. 93 (5); and A/HRC/35/22/Add.2, para. 72.
- ³⁴ For relevant recommendations, see A/HRC/33/11, paras. 115.9–115.12, 115.46–115.61, 115.82–115.84, 115.111 and 117.8–117.10. See also A/HRC/33/11/Add.1, paras. 118.25–118.26, 118.37, 118.41 and 118.69.
- ³⁵ A/HRC/45/13/Add.1, para. 14.
- ³⁶ *Ibid.*, paras. 15 and 65.
- ³⁷ *Ibid.*, para. 46.
- ³⁸ *Ibid.*, paras. 53 and 63.
- ³⁹ *Ibid.*, para. 65.
- ⁴⁰ *Ibid.*, paras. 23 and 71 (a).
- ⁴¹ A/HRC/35/22/Add.2, para. 73.
- ⁴² Opinions No. 43/2017, para. 40; No. 2/2018, para. 81; No. 17/2019, para. 112; No. 66/2019, para. 106; No. 23/2020, para. 99; and No. 89/2020, para. 92. See also CCPR/C/122/D/2680/2015 and CCPR/C/126/D/2356/2014.
- ⁴³ A/HRC/45/13/Add.1, para. 29. See also *ibid.*, paras. 15 and 50.
- ⁴⁴ CAT/C/TJK/CO/3, para. 17.
- ⁴⁵ A/HRC/45/13/Add.1, paras. 47–48.

- ⁴⁶ Ibid., paras. 25–27.
- ⁴⁷ Ibid., para. 73 (a).
- ⁴⁸ CAT/C/TJK/CO/3, paras. 23 and 33; CCPR/C/TJK/CO/3, paras. 29 and 33; and A/HRC/45/13/Add.1, paras. 10 and 50. See also United Nations country team submission, para. 16; CCPR/C/120/D/2173/2012; and CCPR/C/128/D/2707/2015.
- ⁴⁹ A/HRC/45/13/Add.1, para. 50.
- ⁵⁰ CCPR/C/TJK/CO/3, para. 29. See also A/HRC/45/13/Add.1, paras. 10 and 41, and United Nations country team submission, para. 16.
- ⁵¹ United Nations country team submission, para. 17.
- ⁵² CCPR/C/TJK/CO/3, para. 34 (d). See also A/HRC/45/13/Add.1, para. 73 (b), and CAT/C/TJK/CO/3, para. 28 (a), (b) and (e).
- ⁵³ CAT/C/TJK/CO/3, para. 28 (d). See also CEDAW/C/TJK/CO/6, para. 44 (f).
- ⁵⁴ CCPR/C/TJK/CO/3, para. 31. See also CAT/C/TJK/CO/3, paras. 7 and 9, and CCPR/C/126/D/2356/2014.
- ⁵⁵ CAT/C/TJK/CO/3, para. 41.
- ⁵⁶ A/HRC/45/13/Add.1, para. 73 (a) (vi). See also CAT/C/TJK/CO/3, para. 10 (b), and CCPR/C/TJK/CO/3, para. 32 (c).
- ⁵⁷ For relevant recommendations, see A/HRC/33/11, paras. 115.28, 115.78–115.81 and 115.85. See also A/HRC/33/11/Add.1, paras. 118.35–118.36, 118.38–118.40 and 118.67.
- ⁵⁸ CCPR/C/TJK/CO/3, para. 37. See also CCPR/C/122/D/2680/2015.
- ⁵⁹ A/HRC/35/22/Add.2, para. 73. See also A/HRC/45/13/Add.1, para. 9.
- ⁶⁰ CCPR/C/TJK/CO/3, para. 37. See also United Nations country team submission, para. 12.
- ⁶¹ United Nations country team submission, para. 12.
- ⁶² E/C.12/TJK/Q/4, para. 2.
- ⁶³ CCPR/C/TJK/CO/3, para. 39, and CAT/C/TJK/CO/3, para. 19.
- ⁶⁴ United Nations country team submission, para. 15 (6). See also E/C.12/TJK/Q/4, para. 2.
- ⁶⁵ CCPR/C/TJK/CO/3, para. 39, and A/HRC/45/13/Add.1, para. 9.
- ⁶⁶ United Nations country team submission, para. 13.
- ⁶⁷ CEDAW/C/TJK/CO/6, para. 14 (a).
- ⁶⁸ CAT/C/TJK/CO/3, para. 39. See also CRC/C/TJK/CO/3-5, para. 46.
- ⁶⁹ CRC/C/TJK/CO/3-5, para. 47.
- ⁷⁰ CCPR/C/TJK/CO/3, para. 26.
- ⁷¹ A/HRC/45/13/Add.1, para. 13. See also *ibid.*, para. 42.
- ⁷² *Ibid.*, paras. 37, 44, 59 and 70 (a).
- ⁷³ For relevant recommendations, see A/HRC/33/11, paras. 115.87–115.88. See also A/HRC/33/11/Add.1, paras. 118.10, 118.24, 118.42–118.68 and 118.70.
- ⁷⁴ CCPR/C/TJK/CO/3, para. 54.
- ⁷⁵ A/HRC/45/13/Add.1, para. 8.
- ⁷⁶ *Ibid.*, paras. 9 and 66.
- ⁷⁷ *Ibid.*, para. 66.
- ⁷⁸ *Ibid.*, para. 63.
- ⁷⁹ *Ibid.*, para. 74 (a).
- ⁸⁰ United Nations country team submission, para. 83.
- ⁸¹ CCPR/C/TJK/CO/3, para. 47 (a), (b), (c), (d), (g) and (h).
- ⁸² A/HRC/35/22/Add.2, paras. 77–78.
- ⁸³ UNESCO submission for the universal periodic review of Tajikistan, para. 14, and United Nations country team submission, para. 86 (4).
- ⁸⁴ UNESCO submission, para. 13, and A/HRC/35/22/Add.2, para. 75.
- ⁸⁵ United Nations country team submission, para. 85, and UNESCO submission, para. 6.
- ⁸⁶ CCPR/C/TJK/CO/3, para. 51. See also CMW/C/TJK/CO/2, para. 24; CEDAW/C/TJK/CO/6, para. 19 (a); E/C.12/TJK/Q/4, para. 4; A/HRC/35/22/Add.2, paras. 56–57; and A/HRC/42/47/Add.6, paras. 58–59.
- ⁸⁷ CMW/C/TJK/CO/2, para. 25; CEDAW/C/TJK/CO/6, para. 20 (a); A/HRC/35/22/Add.2, para. 81; and A/HRC/33/49/Add.2, para. 59 (l).
- ⁸⁸ E/C.12/TJK/Q/4, para. 4.
- ⁸⁹ A/HRC/42/47/Add.6, para. 60. See also E/C.12/TJK/Q/4, para. 4.
- ⁹⁰ A/HRC/35/22/Add.2, para. 83. See also CEDAW/C/TJK/CO/6, para. 20 (c); CERD/C/TJK/CO/9-11, para. 31; and CRC/C/TJK/CO/3-5, para. 12.
- ⁹¹ CEDAW/C/TJK/CO/6, para. 20 (b). See also United Nations country team submission, para. 86 (3).
- ⁹² CCPR/C/TJK/CO/3, para. 50. See also United Nations country team submission, para. 96 (1), and A/HRC/35/22/Add.2, para. 81.
- ⁹³ CCPR/C/TJK/CO/3, para. 43.
- ⁹⁴ United Nations country team submission, para. 93 (1), and A/HRC/35/22/Add.2, para. 85.

- ⁹⁵ United Nations country team submission, para. 93 (4), and CCPR/C/TJK/CO/3, para. 46.
- ⁹⁶ For relevant recommendations, see A/HRC/33/11, para. 115.76. See also A/HRC/33/11/Add.1, paras. 118.33–118.34.
- ⁹⁷ CERD/C/TJK/CO/9-11, paras. 19–20.
- ⁹⁸ CRC/C/TJK/CO/3-5, para. 45.
- ⁹⁹ CEDAW/C/TJK/CO/6, para. 28 (a). See also CMW/C/TJK/CO/2, para. 53 (a).
- ¹⁰⁰ For relevant recommendations, see A/HRC/33/11, paras. 115.43 and 115.86.
- ¹⁰¹ CCPR/C/TJK/CO/3, para. 41.
- ¹⁰² A/HRC/35/22/Add.2, para. 79.
- ¹⁰³ CEDAW/C/TJK/CO/6, paras. 45 (a) and 46 (a). See also United Nations country team submission, para. 41.
- ¹⁰⁴ For relevant recommendations, see A/HRC/33/11, paras. 115.31, 115.40, 115.43–115.44 and 115.91.
- ¹⁰⁵ UNFPA, *UNFPA Country Programme Evaluation: Tajikistan (2016–2020) – Final Evaluation Report*, 27 December 2019, p. 27. Available at www.unfpa.org/sites/default/files/unfpa_tajikistan_country_programme_evaluation_report.pdf.
- ¹⁰⁶ E/C.12/TJK/Q/4, paras. 13–14.
- ¹⁰⁷ *Ibid.*, para. 14.
- ¹⁰⁸ *Ibid.*, para. 16.
- ¹⁰⁹ CEDAW/C/TJK/CO/6, para. 37 (a)–(d). See also E/C.12/TJK/Q/4, para. 12 (b), and United Nations country team submission, paras. 32–33.
- ¹¹⁰ CEDAW/C/TJK/CO/6, para. 38 (b)–(d).
- ¹¹¹ CRC/C/TJK/CO/3-5, para. 43.
- ¹¹² CRC/C/OPSC/TJK/CO/1, para. 21.
- ¹¹³ *Ibid.*, para. 27 (c).
- ¹¹⁴ *Ibid.*, para. 19 (a).
- ¹¹⁵ United Nations country team submission, para. 64 (2). See also CRC/C/TJK/CO/3-5, para. 43 (a).
- ¹¹⁶ E/C.12/TJK/Q/4, para. 18.
- ¹¹⁷ *Ibid.*, para. 16.
- ¹¹⁸ For relevant recommendations, see A/HRC/33/11, para. 115.25.
- ¹¹⁹ E/C.12/TJK/Q/4, para. 17.
- ¹²⁰ CRC/C/TJK/CO/3-5, para. 25 (a) and (c).
- ¹²¹ United Nations country team submission, para. 27 (4).
- ¹²² For relevant recommendations, see A/HRC/33/11, paras. 115.94–115.97 and 115.116.
- ¹²³ E/C.12/TJK/Q/4, paras. 20–21.
- ¹²⁴ CRC/C/TJK/CO/3-5, paras. 32–33 (a). See also E/C.12/TJK/Q/4, para. 19.
- ¹²⁵ E/C.12/TJK/Q/4, para. 22 (b).
- ¹²⁶ A/HRC/42/47/Add.6, para. 7.
- ¹²⁷ A/HRC/33/49/Add.2, para. 56.
- ¹²⁸ A/HRC/33/49/Add.2, para. 57.
- ¹²⁹ A/HRC/42/47/Add.6, para. 20. See also A/HRC/33/49/Add.2, para. 59 (a), and E/C.12/TJK/Q/4, para. 22 (a).
- ¹³⁰ A/HRC/42/47/Add.6, para. 29, and A/HRC/33/49/Add.2, para. 59 (c).
- ¹³¹ For relevant recommendations, see A/HRC/33/11, paras. 115.77 and 115.98–115.103.
- ¹³² United Nations country team submission, para. 78. See also E/C.12/TJK/Q/4, para. 23.
- ¹³³ CRC/C/TJK/CO/3-5, para. 30 (a).
- ¹³⁴ CEDAW/C/TJK/CO/6, para. 39 (a).
- ¹³⁵ United Nations country team submission, para. 82 (1).
- ¹³⁶ *Ibid.*, para. 80.
- ¹³⁷ *Ibid.*, para. 26.
- ¹³⁸ *Ibid.*, para. 47. See also CEDAW/C/TJK/CO/6, para. 39 (c).
- ¹³⁹ CEDAW/C/TJK/CO/6, para. 40 (e). See also United Nations country team submission, para. 49 (1), and E/C.12/TJK/Q/4, para. 25 (b).
- ¹⁴⁰ United Nations country team submission, para. 49 (2).
- ¹⁴¹ CEDAW/C/TJK/CO/6, para. 44 (e). See also United Nations country team submission, para. 27 (3).
- ¹⁴² United Nations country team submission, para. 27 (5).
- ¹⁴³ E/C.12/TJK/Q/4, para. 5.
- ¹⁴⁴ For relevant recommendations, see A/HRC/33/11, paras. 115.85 and 115.104–115.110.
- ¹⁴⁵ United Nations country team submission, para. 59.
- ¹⁴⁶ CRC/C/TJK/CO/3-5, para. 39 (a). See also UNESCO submission, para. 12, and United Nations country team submission, para. 61.
- ¹⁴⁷ CEDAW/C/TJK/CO/6, paras. 35 (a)–(b) and 36 (a). See also CRC/C/TJK/CO/3-5, para. 39 (b), and E/C.12/TJK/Q/4, para. 26 (a) (iii).
- ¹⁴⁸ UNESCO submission, para.12.

- 149 United Nations country team submission, para. 56.
- 150 UNESCO submission, para. 12. See also CEDAW/C/TJK/CO/6, para. 44 (e), and E/C.12/TJK/Q/4, para. 26 (b).
- 151 CEDAW/C/TJK/CO/6, para. 44 (e).
- 152 CRC/C/TJK/CO/3-5, para. 29 (e)–(f).
- 153 CERD/C/TJK/CO/9-11, paras. 25–26. See also E/C.12/TJK/Q/4, para. 28 (a).
- 154 CRC/C/TJK/CO/3-5, para. 19.
- 155 A/HRC/35/22/Add.2, para. 85, and United Nations country team submission, paras. 88 and 93 (1).
- 156 For relevant recommendations, see A/HRC/33/11, paras. 115.22, 115.27–115.31, 115.36–115.42, 115.44 and 115.63–115.69. See also A/HRC/33/11/Add.1, paras. 118.28–118.32.
- 157 United Nations country team submission, para. 36 (1)–(3).
- 158 CEDAW/C/TJK/CO/6, para. 12 (c).
- 159 CCPR/C/TJK/CO/3, para. 17.
- 160 CEDAW/C/TJK/CO/6, para. 32 (a). See also CCPR/C/TJK/CO/3, para. 18, and E/C.12/TJK/Q/4, para. 12 (c).
- 161 CCPR/C/TJK/CO/3, para. 17. See also CEDAW/C/TJK/CO/6, para. 45 (b).
- 162 CEDAW/C/TJK/CO/6, para. 46 (b) (iv).
- 163 CEDAW/C/TJK/CO/6, para. 25 (a). See also CCPR/C/TJK/CO/3, para. 19.
- 164 E/C.12/TJK/Q/4, para. 5.
- 165 CAT/C/TJK/CO/3, para. 47.
- 166 United Nations country team submission, para. 38.
- 167 CAT/C/TJK/CO/3, para. 47.
- 168 CEDAW/C/TJK/CO/6, para. 26 (a) and (c). See also United Nations country team submission, para. 44 (1).
- 169 CEDAW/C/TJK/CO/6, paras. 41 (a) and 42 (a).
- 170 For relevant recommendations, see A/HRC/33/11, paras. 115.16, 115.27, 115.29–115.30, 115.70–115.75 and 115.106–115.107.
- 171 CRC/C/TJK/CO/3-5, para. 6.
- 172 *Ibid.*, para. 17.
- 173 CRC/C/OPSC/TJK/CO/1, para. 24.
- 174 United Nations country team submission, paras. 65 and 69 (2).
- 175 CRC/C/TJK/CO/3-5, para. 22 (d).
- 176 CEDAW/C/TJK/CO/6, paras. 45 (b) and 46 (b) (ii) and (iv). See also United Nations country team submission, paras. 42 and 44 (7)–(8), and CRC/C/TJK/CO/3-5, para. 13.
- 177 CAT/C/TJK/CO/3, para. 44; CRC/C/TJK/CO/3-5, para. 22 (a); and UNESCO submission, para. 12.
- 178 CRC/C/TJK/CO/3-5, para. 44 (a) and (c).
- 179 CRC/C/OPSC/TJK/CO/1, para. 19 (b).
- 180 CRC/C/TJK/CO/3-5, para. 26 (b)–(c).
- 181 CRC/C/OPAC/TJK/CO/1, para. 25.
- 182 For relevant recommendations, see A/HRC/33/11, paras. 115.7, 115.31 and 115.112–115.114.
- 183 United Nations country team submission, para. 23.
- 184 CRC/C/TJK/CO/3-5, para. 29.
- 185 E/C.12/TJK/Q/4, para. 10.
- 186 United Nations country team submission, paras. 23 and 25.
- 187 CRC/C/TJK/CO/3-5, para. 29.
- 188 CERD/C/TJK/CO/9-11, para. 12.
- 189 *Ibid.*, paras. 13–14.
- 190 For relevant recommendations, see A/HRC/33/11, para. 115.115.
- 191 United Nations country team submission, paras. 72 and 74.
- 192 CMW/C/TJK/CO/2, para. 50.
- 193 *Ibid.*, paras. 12 and 15. See also United Nations country team submission, para. 76 (1)–(2).
- 194 CMW/C/TJK/CO/2, paras. 34–35 (a).
- 195 *Ibid.*, para. 46.
- 196 *Ibid.*, para. 36.
- 197 *Ibid.*, para. 45 (a).
- 198 UNHCR submission, p. 1.
- 199 *Ibid.*, p. 5.
- 200 *Ibid.*
- 201 *Ibid.* and United Nations country team submission, para. 52 (2). See also A/HRC/45/13/Add.1, paras. 57 and 72 (c).
- 202 UNHCR submission, p. 4; United Nations country team submission, para. 52 (1); CERD/C/TJK/CO/9-11, para. 16; CEDAW/C/TJK/CO/6, para. 44 (c); and E/C.12/TJK/Q/4, para. 11.
- 203 CRC/C/TJK/CO/3-5, para. 41 (a).

²⁰⁴ UNHCR submission, pp. 1–2. See also E/C.12/TJK/Q/4, para. 11.

²⁰⁵ UNHCR submission, p. 3. See also United Nations country team submission, para. 71 (1).

²⁰⁶ E/C.12/TJK/Q/4, para. 11. See also A/HRC/42/47/Add.6, para. 65.

²⁰⁷ UNHCR submission, p. 2.

²⁰⁸ *Ibid.*
