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High Commissioner for Human Rights in accordance with  
paragraph 15 (b) of the annex to Human Rights Council  
resolution 5/1 and paragraph 5 of the annex to Council  
resolution 16/21**

## Tajikistan

The present report is a compilation of the information contained in reports of the treaty bodies and special procedures including observations and comments by the State concerned, in reports of the United Nations High Commissioner for Human Rights, and in other relevant official United Nations documents. It is presented in a summarized manner owing to word-limit constraints. For the full texts, please refer to the documents referenced. The report does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights other than those contained in public reports and statements issued by the Office. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the periodicity of the review, and developments during that period.



## I. Background and framework

### A. Scope of international obligations<sup>1</sup>

#### 1. International human rights treaties<sup>2</sup>

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified/not accepted</i>
<i>Ratification, accession or succession</i>	ICERD (1995)		ICCPR-OP 2
	ICESCR (1999)		OP-CAT
	ICCPR (1999)		CRPD
	CEDAW (1993)		ICPPED
	CAT (1995)		
	CRC (1993)		
	OP-CRC-AC (2002)		
	OP-CRC-SC (2002)		
<i>Reservations and/or declarations</i>	ICRMW (2002)		
	OP-CRC-AC (Declaration under art. 3(2), 18 years)		
<i>Complaints procedures, inquiries and urgent action<sup>3</sup></i>	ICCPR-OP 1 (1999)	OP-CEDAW (2014)	ICERD, art. 14
	CAT, art. 20 (1995)		OP-ICESCR
			ICCPR, art. 41
			OP-CEDAW, arts. 8–9
			CAT, arts. 21–22
			OP-CRC-IC
			ICRMW, arts. 76–77
			OP-CRPD
		ICPPED	

#### 2. Other main relevant international instruments

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified</i>
<i>Ratification, accession or succession</i>	Convention on the Prevention and Punishment of the Crime of Genocide		
	Rome Statute of the International Criminal Court		
	Palermo Protocol <sup>4</sup>		

<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified</i>
1951 Convention relating to the Status of Refugees and its 1967 Protocol		Conventions on stateless persons <sup>5</sup>
Geneva Conventions of 12 August 1949 and Additional Protocols I and II <sup>6</sup>		Additional Protocol III to the 1949 Geneva Conventions <sup>7</sup>
ILO fundamental conventions <sup>8</sup>		ILO Conventions Nos. 169 and 189 <sup>9</sup>
Convention against Discrimination in Education		

1. Tajikistan was invited to ratify CRPD,<sup>10</sup> OP-ICRPD,<sup>11</sup> ICPPED,<sup>12</sup> OP-ICESCR,<sup>13</sup> ICCPR-OP 2,<sup>14</sup> OP-CAT,<sup>15</sup> Conventions on statelessness,<sup>16</sup> and International Labour Organization (ILO) Conventions Nos. 156,<sup>17</sup> 183,<sup>18</sup> 118,<sup>19</sup> 181<sup>20</sup> and 189.<sup>21</sup>

2. Tajikistan was invited to consider making the declarations provided for in articles 76 and 77 of ICRMW<sup>22</sup> and under articles 21 and 22 of CAT.<sup>23</sup> It was invited to accelerate the acceptance of the amendment to article 20 (1) of CEDAW,<sup>24</sup> and ratify amendments to article 8 (6) of ICERD.<sup>25</sup>

## B. Constitutional and legislative framework

3. N/A.

## C. Institutional and human rights infrastructure and policy measures

### Status of national human rights institutions<sup>26</sup>

<i>National human rights institution</i>	<i>Status during previous cycle</i>	<i>Status during present cycle<sup>27</sup></i>
Human Rights Ombudsman	-	B (2012)

4. The Committee on Economic, Social and Cultural Rights recommended that the Human Rights Ombudsman be an independent institution with the necessary resources to fulfil its mandate in conformity with the Paris Principles.<sup>28</sup>

5. The Committee on the Elimination of Discrimination against Women recommended that the status of the national machinery for the advancement of women be elevated, and its mandate strengthened.<sup>29</sup>

6. The United Nations country team stated that Tajikistan should adopt a comprehensive national human rights action plan by involving civil society, and continue reinforcing the mandate of the Commission on Implementation of International Obligations in the Field of Human Rights.<sup>30</sup>

7. In 2015, the Secretary-General highlighted the importance of strengthening national coordination mechanisms and implementing United Nations human rights recommendations holistically.<sup>31</sup>

## II. Cooperation with human rights mechanisms

8. In 2014, Tajikistan submitted its midterm report regarding the follow-up to the recommendations of its universal periodic review, which was held in 2011.<sup>32</sup>

9. The Special Rapporteur on the situation of human rights defenders was concerned by reports of reprisals against human rights defenders due to their cooperation with international human rights mechanisms.<sup>33</sup>

### A. Cooperation with treaty bodies

#### 1. Reporting status

<i>Treaty body</i>	<i>Concluding observations included in previous review</i>	<i>Latest report submitted since previous review</i>	<i>Latest concluding observations</i>	<i>Reporting status</i>
Committee on the Elimination of Racial Discrimination	August 2004	2016	August 2012	Combined ninth to eleventh reports pending consideration
Committee on Economic, Social and Cultural Rights	November 2006	2011	March 2015	Fourth report due in 2020
Human Rights Committee	July 2005	2011	July 2013	Third report due in 2017
Committee on the Elimination of Discrimination against Women	February 2007	2011	October 2013	Sixth report due in 2017
Committee against Torture	November 2006	-	November 2012	Third report foreseen in 2016
Committee on the Rights of the Child	January 2010	-	-	Combined third to fifth reports overdue since 2015, initial OP-CRC-SC and OP-CRC-AC reports overdue since 2004
Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families	-	-	April 2012	Second report due in 2017

## 2. Responses to specific follow-up requests by treaty bodies

### Concluding observations

<i>Treaty body</i>	<i>Due in</i>	<i>Subject matter</i>	<i>Submitted in</i>
Committee on the Elimination of Racial Discrimination	2013	Situation of the Roma and of refugees, asylum seekers and stateless persons, including access to citizenship <sup>34</sup>	-
Human Rights Committee	2014	Procedural safeguards of detention, independence of judges and lawyers, registration of public associations <sup>35</sup>	2015; <sup>36</sup> further information requested <sup>37</sup>
Committee on the Elimination of Discrimination against Women	2015	Violence against women, disadvantaged groups of women <sup>38</sup>	2015; <sup>39</sup> follow-up dialogue ongoing
Committee against Torture	2013	Effective investigations; legal safeguards for persons detained; prosecuting and sanctioning perpetrators of torture <sup>40</sup>	2014; <sup>41</sup> follow-up dialogue ongoing
	2007	Detention; review of detention places; impunity; statements/confessions made as a result of torture <sup>42</sup>	-

### Views

<i>Treaty body</i>	<i>Number of views</i>	<i>Status</i>
Human Rights Committee	1 <sup>43</sup> (second universal periodic review cycle)	Follow-up dialogue ongoing <sup>45</sup>
	21 <sup>44</sup> (first universal periodic review cycle)	Follow-up dialogue suspended for 18 cases in October 2011 based on a finding of a non-satisfactory implementation of recommendations; <sup>46</sup> closed for one case; <sup>47</sup> ongoing for two cases <sup>48</sup>

10. The Human Rights Committee was concerned about the failure of Tajikistan to implement its views under ICCPR-OP1.<sup>49</sup>

## B. Cooperation with special procedures<sup>50</sup>

	<i>Status during previous cycle</i>	<i>Current status</i>
<i>Standing invitation</i>	No	No
<i>Visits undertaken</i>	Independence of judges and lawyers	Torture
	Freedom of religion or belief	Health
	Violence against women	Safe drinking water and sanitation
<i>Visits agreed to in principle</i>	Adequate housing	Adequate housing

	Disappearances
	Freedom of opinion and expression
<i>Visits requested</i>	-
<i>Responses to letters of allegation and urgent appeals</i>	During the period under review, 14 communications were sent. The Government replied to 11 communications.
<i>Follow-up reports and missions</i>	Torture (mission 2014) <sup>51</sup>

11. The Assistant Secretary-General for Human Rights encouraged Tajikistan to issue a standing invitation to the special procedures, giving priority consideration to the Special Rapporteur on the rights to freedom of peaceful assembly and of association, and to the Special Rapporteur on the situation of human rights defenders.<sup>52</sup>

12. The Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment expressed concern about allegations of reprisals that took place after his visit in 2012 against people who spoke with him or complained about mistreatment.<sup>53</sup>

### C. Cooperation with the Office of the United Nations High Commissioner for Human Rights

13. The United Nations High Commissioner for Human Rights visited Tajikistan in 2012,<sup>54</sup> and the Assistant Secretary-General for Human Rights visited Tajikistan in 2013.<sup>55</sup>

14. OHCHR, through its Regional Office for Central Asia based in Bishkek, provided technical assistance to the Government.<sup>56</sup>

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

### A. Equality and non-discrimination

15. The Committee on Economic, Social and Cultural Rights urged Tajikistan to expedite the adoption of a comprehensive anti-discrimination law, providing a definition of direct and indirect discrimination, and including all the grounds for discrimination set out in the Convention.<sup>57</sup>

16. The Committee on the Elimination of Discrimination against Women remained concerned about the persistence of adverse cultural norms and traditions, patriarchal attitudes and deep-rooted stereotypes regarding the roles and responsibilities of women and men in the family and in society. The Committee was also concerned that Tajikistan did not take sufficient actions to eliminate such stereotypes.<sup>58</sup>

17. The Committee on the Elimination of Discrimination against Women remained concerned about structural inequalities, occupational segregation, the gender pay gap, and the concentration of women in the informal sector and in low-paid jobs.<sup>59</sup> The Committee was concerned about gender segregation in education, particularly in vocational education.<sup>60</sup> It noted some restrictions on women's freedom of expression and religion, such as the fatwa of the Council of Ulemma against women's attendance at, and praying in,

mosques.<sup>61</sup> The Committee on Economic, Social and Cultural Rights noted the lack of temporary measures to address gender discrimination in employment and in other areas.<sup>62</sup>

18. Noting that the Labour Code provided a definition of racial discrimination, the Committee on the Elimination of Racial Discrimination reiterated its concern about the absence in the legislation of similar provisions covering other social areas. Provisions on racial discrimination were not in full compliance with ICERD, including the absence of criminalization for incitement to racial discrimination and acts of racially motivated violence.<sup>63</sup>

19. The Special Rapporteur on health was concerned about the stigmatization and discrimination associated with people living with tuberculosis and HIV/tuberculosis co-infection.<sup>64</sup> Likewise, the stigmatization of and discrimination against people living with mental illness were a concern.<sup>65</sup>

20. In respect of universal periodic review recommendation No. 88.50<sup>66</sup> concerning birth registration, the Office of the United Nations High Commissioner for Refugees (UNHCR) stated that parents could face difficulty in registering the birth of their child if either parent lacked identity documents. It recommended that Tajikistan issue birth certificates to all children regardless of their parents' possession of identity documents.<sup>67</sup>

## **B. Right to life, liberty and security of person**

21. While welcoming the moratorium on the death penalty, the Human Rights Committee regretted the slow progress in abolishing the death penalty.<sup>68</sup>

22. The Human Rights Committee was concerned about the allegations of civilian deaths and injuries during the security operation in the City of Khorog in July 2012 and that investigations into those cases had not yet been finalized.<sup>69</sup>

23. The Special Rapporteur on torture observed that torture and ill-treatment continued to be a problem, taking place particularly during the first hours of detention and interrogation, and were usually associated with the purposes of extracting self-incriminating evidence to be used in criminal proceedings.<sup>70</sup>

24. While welcoming the incorporation of article 143-1 into the Criminal Code to bring the definition of torture in line with the Convention, the Committee against Torture expressed concern that the sanctions envisaged of five years imprisonment or less for first-time offenders of torture were not commensurate with the gravity of the crime.<sup>71</sup>

25. The Committee against Torture was concerned that hazing and ill-treatment of conscripts by officers and soldiers in the military continued to prevail. It recommended that Tajikistan reinforce measures to prohibit and eliminate such cases.<sup>72</sup>

26. The Committee on the Elimination of Discrimination against Women remained concerned about the persistence of violence against women, including domestic violence, which often remained underreported.<sup>73</sup> The Committee on Economic, Social and Cultural Rights was concerned that domestic violence was not criminalized.<sup>74</sup>

27. The United Nations country team stated that the 2013 law on domestic violence and its associated Programme for 2014–2023 set firm grounds towards combating domestic violence, but lacked a solid mechanism for its implementation.<sup>75</sup> The Committee on the Elimination of Discrimination against Women was concerned about the lack of shelters for victims of violence.<sup>76</sup> The Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health stated that doctors and health-care workers were not trained to screen and document instances of domestic violence.<sup>77</sup>

28. The Committee against Torture was concerned about the lack of legislation prohibiting corporal punishment of children, despite allegations of its widespread use.<sup>78</sup> The Human Rights Committee recommended putting an end to corporal punishment in all settings and encouraging non-violent forms of discipline as alternatives to corporal punishment.<sup>79</sup>

29. The Committee on the Elimination of Discrimination against Women remained concerned that child labour persisted.<sup>80</sup> The ILO Committee of Experts on the Application of Conventions and Recommendations noted that the compulsory mobilization of children for work in the harvest, taking place often under hazardous conditions, continued. Street children were at a risk of becoming involved in the worst forms of child labour.<sup>81</sup> The ILO Committee of Experts urged Tajikistan to eradicate the forced labour of, or hazardous work by, children under 18 years of age, and combat and eliminate the worst forms of child labour.<sup>82</sup>

30. The Committee on the Elimination of Discrimination against Women was concerned that Tajikistan was a country of origin and transit for trafficked women and girls.<sup>83</sup> The country team noted that Tajikistan had also been, to a lesser extent, a destination for human trafficking. Procedures and budgetary allocations for identification of victims of trafficking and for the provision of adequate services to them remained largely unavailable. The country team recalled that Tajikistan supported several recommendations of the universal periodic review to combat human trafficking.<sup>84</sup>

### **C. Administration of justice, including impunity, and the rule of law**

31. The Committee against Torture was concerned that the judiciary remained weak, inefficient, and influenced by the Council of Justice, which was reportedly subordinate to the President and the executive branch.<sup>85</sup> The Committee on Economic, Social and Cultural Rights was concerned that the independence and impartiality of the judiciary lacked effective guarantees.<sup>86</sup> The country team observed that the universal periodic review recommendations to strengthen the effectiveness and independence of the judiciary remained to be implemented.<sup>87</sup>

32. The Human Rights Committee reiterated its previous concern that military courts enjoyed jurisdiction to examine criminal cases in which military personnel and civilians were jointly accused. It was recommended that Tajikistan prohibit military courts from exercising jurisdiction over civilians.<sup>88</sup>

33. Noting Tajikistan's acceptance of the universal periodic review recommendations on access of detainees to lawyers,<sup>89</sup> the Special Rapporteur on torture remained concerned about the lack of adequate access to independent legal counsel. Lawyers faced numerous obstacles when trying to meet with their clients. The Special Rapporteur noted concerns expressed that some lawyers were subjected to threats or reprisals for their work.<sup>90</sup>

34. In 2015, the Special Rapporteur on the independence of judges and lawyers sent a communication noting that a new law on Advocacy and the Bar had established a body under the Ministry of Justice responsible for regulating entry into the legal profession, disbarment, and issuing licenses to practice law, which thus left lawyers vulnerable to interference from the executive branch. The Government replied to this communication.<sup>91</sup>

35. The Human Rights Committee recommended ensuring that the procedures and criteria for access to and conditions of membership of the Bar did not compromise the independence of lawyers.<sup>92</sup>

36. The Committee on Economic, Social and Cultural Rights was concerned about limited access to free legal aid.<sup>93</sup> The Human Rights Committee recommended creating a State-subsidized legal aid system.<sup>94</sup>

37. The Special Rapporteur on torture remained concerned about shortcomings in the implementation of effective procedural safeguards during the first hours of arrest and detention.<sup>95</sup> He recommended ensuring that the time of arrest started from de facto apprehension and delivery to a police station, and that arrest be scrupulously recorded.<sup>96</sup> The Committee against Torture recommended ensuring that suspects be informed of their rights and the reasons for their detention, and be guaranteed the right of access to lawyers of their choice from the moment of apprehension; that anyone arriving at a detention facility undergo a routine medical examination; and that access to independent doctors be provided when requested by the detainee.<sup>97</sup>

38. Furthermore, the Human Rights Committee recommended ensuring that persons in police custody be brought before a judge within a maximum period of 48 hours, and that the decision of the judge be based on individual circumstances and not solely on the grounds of the gravity of the crime.<sup>98</sup>

39. The Human Rights Committee was concerned about the number of violent deaths of persons deprived of liberty and the lack of effective investigations thereof, and that compensation to relatives was rarely provided. It was concerned about the unsatisfactory action taken to resolve the problem of tuberculosis as a common cause of deaths of persons in custody.<sup>99</sup>

40. The Human Rights Committee was concerned about poor conditions in prison facilities.<sup>100</sup> The Committee against Torture was concerned about reports of the lack of hot water supply, inadequate sanitary conditions, poor ventilation, and inadequate food and health care in prisons and pretrial detention facilities.<sup>101</sup>

41. The Committee against Torture was concerned about strict regimes for inmates serving life imprisonment. The Committee recommended that Tajikistan eliminate the complete isolation of prisoners serving life imprisonment, improve their living conditions, and repeal legislation limiting their contacts with lawyers and family members.<sup>102</sup>

42. The Committee against Torture was concerned about the lack of systematic and independent review of detention places. It recommended that Tajikistan grant unimpeded access to the International Committee of the Red Cross and independent non-governmental organizations (NGOs) to detention places, and establish an effective national preventive mechanism, which is resourced and permitted to conduct regular, unannounced and unrestricted visits of inspection to all places of deprivation of liberty.<sup>103</sup>

43. The Committee against Torture was concerned that allegations of torture and ill-treatment were not promptly, impartially or effectively investigated and prosecuted, thus creating a climate of impunity.<sup>104</sup> It was concerned that victims of, and witnesses to, torture and ill-treatment reportedly did not file complaints with the authorities for fear of reprisals, and about reports of harassment and intimidation of journalists and human rights defenders who reported on torture.<sup>105</sup>

44. The Human Rights Committee recommended investigating effectively allegations of torture or ill-treatment, launching ex officio investigations and mandating judges in pretrial detention hearings to examine such allegations and refer for investigation, guaranteeing the exclusion by the judiciary of evidence obtained under torture as provided by law and bringing alleged perpetrators to justice and, if they are convicted, punishing them with commensurate sentences and compensating victims.<sup>106</sup>

45. The Special Rapporteur on torture noted that, despite the commitment made by Tajikistan during the universal periodic review to establish an independent complaints

mechanism to respond to allegations of torture, Tajikistan had yet to establish such a mechanism.<sup>107</sup>

46. The Committee against Torture was concerned that the law on amnesty granted a rather wide discretion to commute, reduce or suspend sentences of persons convicted of torture.<sup>108</sup> The Special Rapporteur on torture recommended amending the legislation to reflect the unavailability of amnesties for the crime of torture.<sup>109</sup>

47. The Special Rapporteur on torture remained concerned by reports that victims of torture and ill-treatment and their families did not receive adequate reparations.<sup>110</sup> The Committee against Torture was concerned that there was no explicit legal provision providing for the right of victims of torture to adequate compensation.<sup>111</sup>

48. The country team and the Committee against Torture noted the adoption of a national action plan on the reform of the juvenile justice system for 2010-2015.<sup>112</sup> The Special Rapporteur on torture was concerned that the criminal justice system lacked juvenile courts. Children younger than 14 years of age continued to be subjected to arrest and detention, and youths aged 16 and over were kept in closed institutions for minor offenses.<sup>113</sup> The Special Rapporteur remained concerned that juveniles in conflict with the law were reportedly mistreated during arrest and in detention,<sup>114</sup> and noted that there was reportedly no strict separation between adults and juveniles in pretrial detention facilities or police cells outside Dushanbe.<sup>115</sup>

49. The Committee on Economic, Social and Cultural Rights remained concerned that corruption in the public sector was pervasive and systematic. It was also concerned about the ineffectiveness of preventive measures and the limited scope of prosecuted cases of corruption.<sup>116</sup> The Human Rights Committee was concerned about reports that corruption was widespread in the judiciary.<sup>117</sup> The Special Rapporteur on torture was concerned about reports of corruption at high levels of prison authorities.<sup>118</sup>

#### **D. Right to marriage and family life**

50. The Committee on the Elimination of Discrimination against Women was concerned about the high incidence of child marriages and de facto polygamous marriages.<sup>119</sup> The country team stated that marriages were contracted following the religious ceremony *nikoh*, allowing a marriage regardless of the spouses' age.<sup>120</sup> The Committee remained concerned about the large number of marriages that were based only on a religious ceremony.<sup>121</sup>

51. The Committee on Economic, Social and Cultural Rights was concerned that there was a lack of family- or community-based care for children with disabilities and children without parental care, which resulted in their being placed in institutional care.<sup>122</sup>

#### **E. Freedom of religion or belief, expression, association and peaceful assembly, and the right to participate in public and political life**

52. The Human Rights Committee was concerned about restrictions on freedom of religion and about the ban of several religious denominations, including Jehovah's Witnesses and certain Muslim and Christian groups.<sup>123</sup> It was concerned that children might receive religious education only from State-licensed institutions and that all religious education abroad was subject to State permission.<sup>124</sup>

53. The Human Rights Committee recommended repealing or amending provisions of the legislation that imposed disproportionate restrictions on the rights protected by article 18 of ICCPR and reversing its discriminatory refusal to register certain religious denominations.<sup>125</sup>

54. The Human Rights Committee reiterated its concern about the lack of recognition of the right to conscientious objection to compulsory military service, and at the absence of alternatives to military service.<sup>126</sup>

55. The country team reported that freedom of expression continued to be restricted and that media outlets came under governmental scrutiny.<sup>127</sup> The Human Rights Committee expressed concern that the 2013 law on media subjected media organizations to undue registration conditions, that journalists were subject to threats and assaults, and that there was a practice of blocking Internet websites and social networks.<sup>128</sup> The country team reported that, according to the 2015 governmental regulation, news outlets were not allowed to report official news without citing a State-run news agency.<sup>129</sup>

56. The Human Rights Committee recommended ensuring that journalists and other individuals be able to freely exercise the right to freedom of expression and have access to Internet websites and social networks without undue restrictions.<sup>130</sup>

57. The United Nations Educational, Scientific and Cultural Organization (UNESCO) noted that defamation remained a criminal offense.<sup>131</sup> The Human Rights Committee recommended that Tajikistan review its legislation on libel and insult, and ensure that State officials not use the law on defamation for the purpose of harassing or intimidating journalists.<sup>132</sup>

58. In 2013, the Human Rights Committee expressed concern that the law on public associations imposed undue restrictions on the registration of public associations and endowed the Ministry of Justice with excessive oversight power, resulting in major practical obstacles in the registration and operation of such groups.<sup>133</sup> The Committee on Economic, Social and Cultural Rights was concerned that the 2015 amendments to the law, providing for further inspection procedures for public associations and new restrictions and authorization mechanisms for associations receiving foreign funding, might have an adverse impact on the activities of civil society organizations.<sup>134</sup> Several special procedures mandate holders sent a communication concerning the curtailing effect of the 2015 amendments. The Government replied to this communication.<sup>135</sup>

59. The country team reported that inspections of human rights NGOs took place and court suits were brought for insignificant irregularities.<sup>136</sup> The Human Rights Committee was further concerned about reports of the arbitrary shutting down of various human rights NGOs.<sup>137</sup>

60. The Human Rights Committee recommended that Tajikistan bring its law on public associations into line with the ICCPR, reinstate NGOs which were unlawfully shut down, and refrain from imposing disproportionate or discriminatory restrictions on the freedom of association.<sup>138</sup>

61. The country team stated that the 2014 law on assemblies required the organizers of assemblies to obtain permission in advance and contained broadly worded provisions on the grounds of prohibiting assemblies and the venues in which their conduct was limited. The law did not provide for spontaneous assemblies.<sup>139</sup>

62. The Human Rights Committee was concerned about reports of politically motivated harassment of opposition political leaders with a view to deterring their participation in future elections.<sup>140</sup> The country team stated that a crackdown on the Islamic Revival Party of Tajikistan intensified during the reporting period and that the 2015 elections left the party with no seats in the Parliament. In September 2015, 13 members of the party, including from the leadership, were arbitrarily detained. This wave of arrests came days after a Government campaign and crackdown on the party, which led to the suspension of the party on spurious grounds.<sup>141</sup>

63. While noting that minority groups were entitled to take part in political life without legal obstacles, the Human Rights Committee was concerned that in reality their participation in decision-making bodies, particularly in the houses of Parliament, was rather limited.<sup>142</sup> The Committee on the Elimination of Racial Discrimination encouraged Tajikistan to increase the participation of persons belonging to ethnic minorities in public and political life. It recommended improving representation of these persons within the Parliament and other public institutions, including through the adoption of special measures.<sup>143</sup>

64. The Committee on the Elimination of Discrimination against Women recommended ensuring that women enjoy equal opportunities to participate in political and public life and the use of temporary special measures, such as statutory quotas and incentives, for political parties to nominate women as candidates.<sup>144</sup>

## **F. Right to work and to just and favourable conditions of work**

65. The Committee on Economic, Social and Cultural Rights recommended reinforcing efforts to reduce unemployment, in particular among women, young people and persons with disabilities.<sup>145</sup>

66. The ILO Committee of Experts noted that postnatal leave was not compulsory and requested Tajikistan to complement the Labour Code, imposing a minimum of six weeks of compulsory postnatal leave.<sup>146</sup>

## **G. Right to social security and to an adequate standard of living**

67. The Special Rapporteur on health noted a decrease in relative poverty and extreme poverty.<sup>147</sup> The Secretary-General made a similar observation.<sup>148</sup>

68. The Committee on Economic, Social and Cultural Rights was concerned that the minimum wage, pensions and benefits were too low to ensure an adequate standard of living.<sup>149</sup>

69. The Committee on Economic, Social and Cultural Rights was concerned about the lack of regular access of large parts of the population to safe drinking water and adequate sanitation, and about the irregular and insufficient supply of electricity.<sup>150</sup> The Special Rapporteur on the human right to safe drinking water and sanitation stated that Tajikistan must invest in sanitation and water services to guarantee affordable services for the poor and marginalized, and highlighted a necessity for eliminating disparities and addressing the needs of the most vulnerable groups in this area.<sup>151</sup>

70. The Committee on Economic, Social and Cultural Rights recommended addressing chronic food insecurity and malnutrition and, particularly, the critical nutritional needs of children and pregnant women.<sup>152</sup>

71. The country team noted the absence of specific laws and regulations concerning social housing or affordable housing. Forced evictions were a growing issue and judicial remedies were lengthy, cumbersome and expensive.<sup>153</sup> The Committee on Economic, Social and Cultural Rights recommended promoting affordable rental housing, making better provision for social housing, ensuring that evictions be carried out in compliance with international human rights norms, and establishing effective procedures for those forcibly evicted.<sup>154</sup>

## H. Right to health

72. The Special Rapporteur on health encouraged Tajikistan to continue health sector reforms to ensure universal access to high-quality health facilities, goods and services for all.<sup>155</sup> The Special Rapporteur recommended, *inter alia*, that national budget allocations for health be increased, excess capacity at the secondary and tertiary care levels be reduced, and investment in training of general practitioners and family doctors be increased.<sup>156</sup>

73. The country team stated that, despite a sharp reduction in mortality rates for infants and children under 5 years of age, there were significant disparities by wealth and geographic area, and that the rates remained high. Neonatal mortality had shown no decline.<sup>157</sup> The Committee on Economic, Social and Cultural Rights recommended that the high rates of infant and maternal mortality be reduced, including by improving the quality, availability and accessibility of primary health-care services.<sup>158</sup>

74. The Committee on the Elimination of Discrimination against Women called upon Tajikistan, *inter alia*, to develop its reproductive health infrastructure and increase the number of skilled personnel.<sup>159</sup> The Committee on Economic, Social and Cultural Rights recommended that sexual and reproductive health education be strengthened.<sup>160</sup>

75. The country team noted progress in the implementation of the national programme on AIDS for 2011–2015. However, the share of new HIV infections amongst women and children was rising. Although vulnerable populations had access to free HIV testing and antiretroviral treatment, they did not approach State-run health facilities due to a fear of stigma and discrimination.<sup>161</sup> The Committee on the Elimination of Discrimination against Women called upon Tajikistan to strengthen the provision of free antiretroviral treatment to all persons living with HIV/AIDS, including pregnant women, to prevent mother-to-child transmission.<sup>162</sup>

76. The Special Rapporteur on health highlighted several factors that contributed to the high prevalence of tuberculosis.<sup>163</sup> The Special Rapporteur recommended that Tajikistan, *inter alia*, increase funding for tuberculosis prevention, treatment and control; integrate testing and treatment services for tuberculosis fully into the primary health-care sector; and ensure that testing and treatment for tuberculosis be available free of charge.<sup>164</sup>

77. The Special Rapporteur on health recommended, *inter alia*, adopting a comprehensive mental health policy and plan of action based on the right to health; increasing budget allocations for mental health; implementing mechanisms to investigate reports of abuse of people living with mental illness in mental health facilities; and ensuring that perpetrators of such abuses be held accountable.<sup>165</sup>

78. The Committee on Economic, Social and Cultural Rights urged Tajikistan to combat the inflow and transit of narcotic drugs, and to prevent drug abuse and provide adequate treatment and rehabilitation for drug users.<sup>166</sup>

## I. Right to education

79. The Committee on Economic, Social and Cultural Rights was concerned about poor quality of education, a lack of qualified teachers and of teaching materials, low salaries of teachers, and poor conditions of infrastructure and facilities.<sup>167</sup>

80. The Committee on Economic, Social and Cultural Rights was concerned about the high dropout rates among girls and children from families in disadvantageous situations, and about the gender disparity in enrolment and retention rates across all levels of education.<sup>168</sup>

## **J. Persons with disabilities**

81. The Committee on Economic, Social and Cultural Rights was concerned that the legislation did not provide a clear definition of persons with disabilities and that the classification of disability, based on the degree of lost ability to work, led to exclusion from employment of persons with disabilities.<sup>169</sup>

82. The Committee recommended, inter alia, that the enjoyment of economic, social and cultural rights by persons with disabilities be improved.<sup>170</sup>

83. The country team stated that the Government should tackle discrimination in employment against persons with disabilities by enforcing existing quotas and sanctioning employers who do not comply with the quotas.<sup>171</sup>

84. The Committee on Economic, Social and Cultural Rights recommended promoting inclusive education for children with disabilities.<sup>172</sup>

## **K. Minorities**

85. The Committee on Economic, Social and Cultural Rights was concerned about the decreasing number of classes provided in the languages of ethnic minorities and of students attending schools where the teaching was given in the languages of ethnic minorities, owing to the insufficient number of teachers, the lack of retraining programmes for teachers, and a shortage of textbooks in minority languages.<sup>173</sup>

86. The Committee on the Elimination of Racial Discrimination encouraged Tajikistan to strengthen its efforts to provide education in or of minority languages.<sup>174</sup> The country team stated that the Government should, inter alia, increase the budget funding for education of national minorities and conduct regular monitoring of the quality of education.<sup>175</sup>

## **L. Migrants, refugees and asylum seekers**

87. The Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families acknowledged the adoption of a national strategy on labour migration of Tajik citizens for 2011-2015 and the establishment of the Migration Service.<sup>176</sup> It recommended that necessary resources to the Migration Service be provided, and that a procedure for complaints of the Service be established.<sup>177</sup> The Committee on Economic, Social and Cultural Rights recommended that Tajikistan, inter alia, protect its migrant workers and provide counselling and legal advice to potential migrant workers on migration regulations and employment conditions in countries of employment.<sup>178</sup> The Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families recommended monitoring and investigating private recruitment agencies which were involved in cases where Tajik migrant workers were subjected to forced labour or servitude in countries of employment.<sup>179</sup>

88. UNHCR noted that certain gaps remained in the law on refugees, including access to the asylum procedure being dependent on various preliminary requirements and an absence of complementary forms of protection.<sup>180</sup>

89. UNHCR recommended ensuring that asylum seekers being detained as a result of “illegal border crossing” be able to exercise their right to seek asylum by contacting the refugee authorities and UNHCR; giving UNHCR access to detained asylum seekers; developing Referral Mechanism Standard Operating Procedures at the border with clear modalities on reception and further referral of asylum seekers to the refugee authorities; and

respecting the principles of non-refoulement and of non-penalization for asylum seekers arriving irregularly.<sup>181</sup>

90. The Human Rights Committee was concerned about reports of unlawful expulsion and extradition.<sup>182</sup> It recommended that Tajikistan strictly apply the absolute principle of non-refoulement and ensure that decisions on expulsion, return or extradition accord with the due process of the law.<sup>183</sup> The Special Rapporteur on torture recommended ensuring that the obligation not to extradite or deport or expel a person to a country where he or she faces a risk of torture or ill-treatment is duly recognized and that appropriate legal recourse, including access to legal counsel, is guaranteed.<sup>184</sup>

91. The Human Rights Committee remained concerned about reports concerning the abduction and illegal return of Tajik citizens from neighbouring countries to Tajikistan, apparently followed by incommunicado detention and other ill-treatment. The Committee recommended that Tajikistan investigate all such allegations and avoid any involvement in such renditions.<sup>185</sup>

92. The Committee on the Elimination of Racial Discrimination remained concerned about challenges faced by refugees and asylum seekers in terms of employment, access to public services, education and citizenship.<sup>186</sup> UNHCR stated that refugees and asylum seekers were legally precluded from residing in the main urban centres, which had negative implications on their ability to access employment, health care, education and other services.<sup>187</sup> The Human Rights Committee was concerned that frequent raids on refugees and asylum seekers staying in urban areas in contravention of Presidential Resolutions Nos. 325 and 328 led to the rejection of asylum claims, refusal to issue or extend documents or even expulsion and deportation.<sup>188</sup> The Committee on the Elimination of Racial Discrimination recommended lifting the regulation forbidding refugees to live in specific areas, in particular in Dushanbe and Khujand.<sup>189</sup>

93. The Committee on the Elimination of Racial Discrimination remained concerned about the number of long-term stateless persons.<sup>190</sup> UNHCR noted that the 2015 law on nationality brought the definition of stateless persons into closer compliance with the 1954 Convention relating to the Status of Stateless Persons, and included several provisions to prevent statelessness and facilitate naturalization of certain categories of stateless persons under a simplified procedure.<sup>191</sup> It noted the lack of access to essential services due to lack of identity documents and the risk of being penalized for irregular stay in the country. No national mechanism to confirm stateless status was established.<sup>192</sup>

## **M. Right to development, and environmental issues**

94. The Committee on Economic, Social and Cultural Rights recommended that Tajikistan enhance the transparency of the receipt, management and spending of official development funds that it received.<sup>193</sup>

## Notes

- <sup>1</sup> Unless indicated otherwise, the status of ratification of instruments listed in the table may be found on the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org/>. Please also refer to the United Nations compilation on Tajikistan from the previous cycle (A/HRC/WG.6/12/TJK/2).
- <sup>2</sup> The following abbreviations have been used in the present document:
- |            |   |
|------------|---|
| ICERD      | International Convention on the Elimination of All Forms of Racial Discrimination                             |
| ICESCR     | International Covenant on Economic, Social and Cultural Rights  |
| OP-ICESCR  | Optional Protocol to ICESCR   |
| ICCPR      | International Covenant on Civil and Political Rights  |
| ICCPR-OP 1 | Optional Protocol to ICCPR  |
| ICCPR-OP 2 | Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty                               |
| CEDAW      | Convention on the Elimination of All Forms of Discrimination against Women                                    |
| OP-CEDAW   | Optional Protocol to CEDAW  |
| CAT        | Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment                      |
| OP-CAT     | Optional Protocol to CAT  |
| CRC        | Convention on the Rights of the Child   |
| OP-CRC-AC  | Optional Protocol to CRC on the involvement of children in armed conflict                                     |
| OP-CRC-SC  | Optional Protocol to CRC on the sale of children, child prostitution and child pornography                    |
| OP-CRC-IC  | Optional Protocol to CRC on a communications procedure  |
| ICRMW      | International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families |
| CRPD       | Convention on the Rights of Persons with Disabilities   |
| OP-CRPD    | Optional Protocol to CRPD   |
| ICPPED     | International Convention for the Protection of All Persons from Enforced Disappearance                        |
- <sup>3</sup> Individual complaints: ICCPR-OP 1, art. 1; OP-CEDAW, art. 1; OP-CRPD, art. 1; OP-ICESCR, art. 1; OP-CRC-IC, art. 5; ICERD, art. 14; CAT, art. 22; ICRMW, art. 77; and ICPPED, art. 31. Inquiry procedure: OP-CEDAW, art. 8; CAT, art. 20; ICPPED, art. 33; OP-CRPD, art. 6; OP-ICESCR, art. 11; and OP-CRC-IC, art. 13. Inter-State complaints: ICCPR, art. 41; ICRMW, art. 76; ICPPED, art. 32; CAT, art. 21; OP-ICESCR, art. 10; and OP-CRC-IC, art. 12. Urgent action: ICPPED, art. 30.
- <sup>4</sup> Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.
- <sup>5</sup> 1954 Convention relating to the Status of Stateless Persons, and 1961 Convention on the Reduction of Statelessness.
- <sup>6</sup> Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Geneva Convention relative to the Treatment of Prisoners of War (Third Convention); Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II). For the official status of ratifications, see International Committee of the Red Cross, [www.icrc.org/ihl](http://www.icrc.org/ihl).
- <sup>7</sup> Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see International Committee of the Red Cross, [www.icrc.org/ihl](http://www.icrc.org/ihl).

- <sup>8</sup> International Labour Organization (ILO) Forced Labour Convention, 1930 (No. 29); Abolition of Forced Labour Convention, 1957 (No. 105); Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); Right to Organise and Collective Bargaining Convention, 1949 (No. 98); Equal Remuneration Convention, 1951 (No. 100); Discrimination (Employment and Occupation) Convention, 1958 (No. 111); Minimum Age Convention, 1973 (No. 138); Worst Forms of Child Labour Convention, 1999 (No. 182).
- <sup>9</sup> ILO, Indigenous and Tribal Peoples Convention, 1989 (No. 169); and Domestic Workers Convention, 2011 (No. 189).
- <sup>10</sup> See E/C.12/TJK/CO/2-3, para. 14; CEDAW/C/TJK/CO/4-5, para. 39; CAT/C/TJK/CO/2, para. 23; and country team submission to the review of Tajikistan, para. 11.
- <sup>11</sup> See CAT/C/TJK/CO/2, para. 23.
- <sup>12</sup> See *ibid.*
- <sup>13</sup> See E/C.12/TJK/CO/2-3, para. 38; and CAT/C/TJK/CO/2, para. 23.
- <sup>14</sup> See CCPR/C/TJK/CO/2, para. 8; CAT/C/TJK/CO/2, para. 23; and Statement by Assistant Secretary-General for Human Rights on his visit to Tajikistan, at <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13347&LangID=E>.
- <sup>15</sup> See A/HRC/28/68/Add.2, para. 55; A/HRC/22/53/Add.1, para. 100 (h); CAT/C/TJK/CO/2, para. 14; country team submission to the review of Tajikistan, para. 24; and Statement by Assistant Secretary-General for Human Rights on his visit to Tajikistan, at <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13347&LangID=E>.
- <sup>16</sup> See CEDAW/C/TJK/CO/4-5, para. 32 (e); UNHCR submission to the review of Tajikistan, p.7. See also country team submission to the review of Tajikistan, para. 53; and CERD/C/TJK/CO/6-8, para. 14 (d).
- <sup>17</sup> See CEDAW/C/TJK/CO/4-5, para. 26.
- <sup>18</sup> See *ibid.*
- <sup>19</sup> See CMW/C/TJK/CO/1, para. 34.
- <sup>20</sup> See *ibid.*, para. 16. See also country team submission to the review of Tajikistan, para. 55.
- <sup>21</sup> See CMW/C/TJK/CO/1, para. 16.
- <sup>22</sup> See *ibid.*, para. 13.
- <sup>23</sup> See CAT/C/TJK/CO/2, para. 24.
- <sup>24</sup> See CEDAW/C/TJK/CO/4-5, para. 35.
- <sup>25</sup> See CERD/C/TJK/CO/6-8, para. 21.
- <sup>26</sup> According to article 5 of the rules of procedure of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights Sub-Committee on Accreditation, the classifications for accreditation used by the Sub-Committee are: A: voting member (fully in compliance with each of the Paris Principles); B: non-voting member (not fully in compliance with each of the Paris Principles or insufficient information provided to make a determination); and C: no status (not in compliance with the Paris Principles).
- <sup>27</sup> The list of national human rights institutions with accreditation status granted by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights is available from <http://nhri.ohchr.org/EN/Documents/Status%20Accreditation%20Chart.pdf>.
- <sup>28</sup> See E/C.12/TJK/CO/2-3, para. 9. See also CERD/C/TJK/CO/6-8, para. 17; and CCPR/C/TJK/CO/2, para. 5.
- <sup>29</sup> See CEDAW/C/TJK/CO/4-5, paras. 11 and 12.
- <sup>30</sup> See country team submission to the review of Tajikistan, paras. 5-6.
- <sup>31</sup> Secretary-General's remarks to the press after meeting the President of Tajikistan, available from [http://www.un.org/apps/news/infocus/sgspeeches/statments\\_full.asp?statID=2641#.Vr29q032ZMx](http://www.un.org/apps/news/infocus/sgspeeches/statments_full.asp?statID=2641#.Vr29q032ZMx).
- <sup>32</sup> Available from [http://lib.ohchr.org/HRBodies/UPR/Documents/session12/TJ/Tajikistan\\_Implementationrecommendations.pdf](http://lib.ohchr.org/HRBodies/UPR/Documents/session12/TJ/Tajikistan_Implementationrecommendations.pdf).
- <sup>33</sup> See A/HRC/28/63/Add.1, para. 445.
- <sup>34</sup> See CERD/C/TJK/CO/6-8, para. 24.
- <sup>35</sup> See CCPR/C/TJK/CO/2, para. 27.
- <sup>36</sup> CCPR/C/TJK/CO/2/Add.1.
- <sup>37</sup> Letter from the Human Rights Committee to the Permanent Representative of Tajikistan, dated 10 December 2015, available from

- [http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/TJK/INT\\_CCPR\\_FUL\\_TJK\\_22489\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/TJK/INT_CCPR_FUL_TJK_22489_E.pdf) (accessed on 9 February 2016).
- <sup>38</sup> See CEDAW/C/TJK/CO/4-5, para. 40.
- <sup>39</sup> CEDAW/C/TJK/CO/4-5/Add.1.
- <sup>40</sup> See CAT/C/TJK/CO/2, para. 26.
- <sup>41</sup> CAT/C/TJK/CO/2/Add.1.
- <sup>42</sup> See CAT/C/TJK/CO/1, para. 25.
- <sup>43</sup> CCPR/C/101/D/1499/2006.
- <sup>44</sup> CCPR/C/81/D/964/2001, CCPR/C/83/D/973/2001, CCPR/C/85/D/985/2001, CCPR/C/85/D/1042/2001, CCPR/C/86/D/1044/2002, CCPR/C/79/D/1096/2002, CCPR/C/89/D/1108/2002, CCPR/C/89/D/1121/2002, CCPR/C/81/D/1117/2002, CCPR/C/95/D/1195/2003, CCPR/C/95/D/1200/2003, CCPR/C/86/D/1208/2003, CCPR/C/92/D/1209/2003, CCPR/C/92/D/1231/2003, CCPR/C/92/D/1241/2004, CCPR/C/94/D/1263/2004, CCPR/C/94/D/1264/2004, CCPR/C/95/D/1276/2004, CCPR/C/89/D/1348/2005, CCPR/C/97/D/1401/2005, CCPR/C/97/D/1519/2006.
- <sup>45</sup> CCPR/C/101/D/1499/2006.
- <sup>46</sup> CCPR/C/81/D/964/2001; CCPR/C/83/D/973/2001, CCPR/C/85/D/985/2001, CCPR/C/85/D/1042/2001, CCPR/C/79/D/1096/2002, CCPR/C/89/D/1108/2002, CCPR/C/81/D/1117/2002, CCPR/C/95/D/1200/2003, CCPR/C/86/D/1208/2003, CCPR/C/92/D/1209/2003, CCPR/C/92/D/1231/2003, CCPR/C/92/D/1241/2004, CCPR/C/94/D/1263/2004, CCPR/C/94/D/1264/2004, CCPR/C/95/D/1276/2004, CCPR/C/89/D/1348/2005, CCPR/C/97/D/1401/2005, CCPR/C/97/D/1519/2006. A/67/40 (Vol. II), pp. 472-476.
- <sup>47</sup> CCPR/C/89/D/1121/2002. See A/67/40 (Vol. II), pp. 472-476.
- <sup>48</sup> CCPR/C/86/D/1044/2002, CCPR/C/95/D/1195/2003. See A/67/40 (Vol. II), pp. 472-476.
- <sup>49</sup> See CCPR/C/TJK/CO/2, para. 4. See also country team submission to the review of Tajikistan, para. 6.
- <sup>50</sup> For the titles of special procedures, see [www.ohchr.org/EN/HRBodies/SP/Pages/Themes.aspx](http://www.ohchr.org/EN/HRBodies/SP/Pages/Themes.aspx) and [www.ohchr.org/EN/HRBodies/SP/Pages/Countries.aspx](http://www.ohchr.org/EN/HRBodies/SP/Pages/Countries.aspx).
- <sup>51</sup> A/HRC/28/68/Add.2.
- <sup>52</sup> Statement by Assistant Secretary-General for Human Rights Ivan Šimonović on his visit to Kyrgyzstan and Tajikistan, 19-22 May 2013, available from <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13347&LangID=E>.
- <sup>53</sup> See A/HRC/28/68/Add.2, para. 37. See also country team submission to the review of Tajikistan, para. 22 and CAT/C/TJK/CO/2, para. 15.
- <sup>54</sup> See <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12326&LangID=E> and <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12338&LangID=E>.
- <sup>55</sup> Statement by Assistant Secretary-General for Human Rights Ivan Šimonović on his visit to Kyrgyzstan and Tajikistan, 19-22 May 2013, available from <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13347&LangID=E>.
- <sup>56</sup> See [www.ohchr.org/en/countries/enacaregion/pages/centralasiasummary.aspx](http://www.ohchr.org/en/countries/enacaregion/pages/centralasiasummary.aspx); OHCHR Report 2013, p. 21; OHCHR Report 2012, p. 149; and OHCHR Report 2011, pp. 53, 68, 98 and 103.
- <sup>57</sup> See E/C.12/TJK/CO/2-3, para. 13. See also country team submission to the review of Tajikistan, para. 7.
- <sup>58</sup> See CEDAW/C/TJK/CO/4-5, para. 15. See also CCPR/C/TJK/CO/2, para. 6; E/C.12/TJK/CO/2-3, para. 16; and country team submission to the review of Tajikistan, para. 13.
- <sup>59</sup> See CEDAW/C/TJK/CO/4-5, para. 25. See also ILO Committee of Experts on the Application of Conventions and Recommendations, direct request concerning ILO Equal Remuneration Convention, 1951 (No. 100) – Tajikistan, adopted in 2014, published 104th ILC session (2015), available from [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3186689:NO](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3186689:NO).
- <sup>60</sup> See CEDAW/C/TJK/CO/4-5, para. 23. See also E/C.12/TJK/CO/2-3, para. 16.
- <sup>61</sup> See CEDAW/C/TJK/CO/4-5, para. 15. See also country team submission to the review of Tajikistan, para. 45.
- <sup>62</sup> See E/C.12/TJK/CO/2-3, para. 16.
- <sup>63</sup> See CERD/C/TJK/CO/6-8, paras. 9-10.

- <sup>64</sup> See A/HRC/23/41/Add.2, para. 32. See also country team submission to the review of Tajikistan, para. 18.
- <sup>65</sup> See A/HRC/23/41/Add.2, para. 43.
- <sup>66</sup> For the full text of the recommendation, see A/HRC/19/3, para. 88.50.
- <sup>67</sup> UNHCR submission to the review of Tajikistan, pp. 5-6.
- <sup>68</sup> See CCPR/C/TJK/CO/2, para. 8.
- <sup>69</sup> See CCPR/C/TJK/CO/2, para. 10. See also country team submission to the review of Tajikistan, para. 22.
- <sup>70</sup> See A/HRC/28/68/Add.2, para. 27; CAT/C/TJK/CO/2, para. 9; and country team submission to the review of Tajikistan, para. 22.
- <sup>71</sup> See CAT/C/TJK/CO/2, paras. 6-7. See also A/HRC/28/68/Add.2, paras. 9 and 54; A/HRC/22/53/Add.1, para. 99 (a); and country team submission to the review of Tajikistan, para. 24.
- <sup>72</sup> See CAT/C/TJK/CO/2, para. 12.
- <sup>73</sup> See CEDAW/C/TJK/CO/4-5, para. 17. See also CCPR/C/TJK/CO/2, para. 7; E/C.12/TJK/CO/2-3, para. 25; country team submission to the review of Tajikistan, para. 15; and Statement by Assistant Secretary-General for Human Rights on his visit to Tajikistan, available from <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13347&LangID=E>.
- <sup>74</sup> See E/C.12/TJK/CO/2-3, para. 25. See also CAT/C/TJK/CO/2, para. 16; and country team submission to the review of Tajikistan, para. 17.
- <sup>75</sup> See country team submission to the review of Tajikistan, paras. 14-15.
- <sup>76</sup> See CEDAW/C/TJK/CO/4-5, paras. 17 and 18.
- <sup>77</sup> See A/HRC/23/41/Add.2, para. 45.
- <sup>78</sup> See CAT/C/TJK/CO/2, para. 16.
- <sup>79</sup> See CCPR/C/TJK/CO/2, para. 15.
- <sup>80</sup> See CEDAW/C/TJK/CO/4-5, para. 25. See also E/C.12/TJK/CO/2-3, para. 24.
- <sup>81</sup> ILO Committee of Experts on the Application of Conventions and Recommendations, direct request concerning ILO Worst Forms of Child Labour Convention, 1999 (No. 182) – Tajikistan, adopted in 2014, published 104st ILC session (2015), available from [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3185821:NO](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3185821:NO). See also E/C.12/TJK/CO/2-3, para. 24.
- <sup>82</sup> ILO Committee of Experts on the Application of Conventions and Recommendations, direct request concerning ILO Worst Forms of Child Labour Convention, 1999 (No. 182) – Tajikistan, adopted in 2014, published 104st ILC session (2015), available from [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3185821:NO](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3185821:NO). See also E/C.12/TJK/CO/2-3, para. 24; and ILO Committee of Experts on the Application of Conventions and Recommendations, direct request concerning ILO Minimum Age Convention, 1973 (No. 138) – Tajikistan, adopted in 2013, published 104st ILC session (2014), available from [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3147110:NO](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3147110:NO).
- <sup>83</sup> See CEDAW/C/TJK/CO/4-5, para. 19. See also CERD/C/TJK/CO/6-8, para. 15.
- <sup>84</sup> See country team submission to the review of Tajikistan, para. 25.
- <sup>85</sup> See CAT/C/TJK/CO/2, para. 17.
- <sup>86</sup> See E/C.12/TJK/CO/2-3, para. 8. See also CCPR/C/TJK/CO/2, para. 18; and country team submission to the review of Tajikistan, para. 28.
- <sup>87</sup> See country team submission to the review of Tajikistan, para. 28.
- <sup>88</sup> See CCPR/C/TJK/CO/2, para. 19.
- <sup>89</sup> See A/HRC/22/53/Add.1, para. 89.
- <sup>90</sup> See A/HRC/28/68/Add.2, para. 17. See also CCPR/C/TJK/CO/2, para. 18.
- <sup>91</sup> A/HRC/29/50, p. 53. See also A/HRC/26/21, p. 66; and country team submission to the review of Tajikistan, para. 31.
- <sup>92</sup> See CCPR/C/TJK/CO/2, para. 18. See also A/HRC/28/68/Add.2, para. 19.
- <sup>93</sup> See E/C.12/TJK/CO/2-3, para. 7.
- <sup>94</sup> See CCPR/C/TJK/CO/2, para. 18. See also E/C.12/TJK/CO/2-3, para. 7; and country team submission to the review of Tajikistan, para. 30.
- <sup>95</sup> See A/HRC/28/68/Add.2, para. 11. See also A/HRC/22/53/Add.1, paras. 89, 92 and 100.
- <sup>96</sup> See A/HRC/22/53/Add.1, para. 99 (e) and para. 100 (a).

- <sup>97</sup> See CAT/C/TJK/CO/2, para. 8. See also CCPR/C/TJK/CO/2, para. 16.
- <sup>98</sup> See CCPR/C/TJK/CO/2, para. 17. See also A/HRC/22/53/Add.1, para. 100 (c); A/HRC/28/68/Add.2, para. 16; A/HRC/28/68/Add.2, paras. 47- 48; and CAT/C/TJK/CO/2, para. 8.
- <sup>99</sup> See CCPR/C/TJK/CO/2, para. 9. See also CAT/C/TJK/CO/2, para. 10.
- <sup>100</sup> See CCPR/C/TJK/CO/2, para. 9.
- <sup>101</sup> See CAT/C/TJK/CO/2, para. 14. See also A/HRC/28/68/Add.2, paras. 45 and 49.
- <sup>102</sup> See CAT/C/TJK/CO/2, para. 14. See also A/HRC/22/53/Add.1, para. 101 (b); and A/HRC/28/68/Add.2, para. 46.
- <sup>103</sup> See CAT/C/TJK/CO/2, para. 14. See also A/HRC/22/53/Add.1, para. 100; A/HRC/28/68/Add.2, para. 55; and country team submission to the review of Tajikistan, para. 24.
- <sup>104</sup> See CAT/C/TJK/CO/2, para. 11. See also and A/HRC/28/68/Add.2, para. 30.
- <sup>105</sup> See CAT/C/TJK/CO/2, para. 15. See also A/HRC/28/68/Add.2, paras. 38 and 55; and A/HRC/22/53/Add.1, para. 90.
- <sup>106</sup> See CCPR/C/TJK/CO/2, para. 14. See also CAT/C/TJK/CO/2, paras. 11 and 13; and A/HRC/28/68/Add.2, para. 55.
- <sup>107</sup> See A/HRC/22/53/Add.1, para. 91. See also CCPR/C/TJK/CO/2, para. 14; CAT/C/TJK/CO/2, para. 15; A/HRC/28/68/Add.2, para. 55; and country team submission to the review of Tajikistan, para. 24.
- <sup>108</sup> See CAT/C/TJK/CO/2, para. 7.
- <sup>109</sup> See A/HRC/28/68/Add.2, para. 9. See also A/HRC/22/53/Add.1, para. 99 (a).
- <sup>110</sup> See A/HRC/28/68/Add.2, para. 42.
- <sup>111</sup> See CAT/C/TJK/CO/2, para. 21.
- <sup>112</sup> See country team submission to the review of Tajikistan, para.32; and CAT/C/TJK/CO/2, para. 20.
- <sup>113</sup> See A/HRC/22/53/Add.1, para. 95; and A/HRC/28/68/Add.2, para. 28. See also CAT/C/TJK/CO/2, para. 20.
- <sup>114</sup> See A/HRC/28/68/Add.2, para. 28. See also A/HRC/22/53/Add.1, para. 73; and CAT/C/TJK/CO/2, para. 20.
- <sup>115</sup> See A/HRC/22/53/Add.1, para. 76. See also country team submission to the review of Tajikistan, para. 33; and CAT/C/TJK/CO/2, para. 20.
- <sup>116</sup> See E/C.12/TJK/CO/2-3, para. 12. See also CMW/C/TJK/CO/1, para. 21.
- <sup>117</sup> See CCPR/C/TJK/CO/2, para. 18. See also country team submission to the review of Tajikistan, para. 28.
- <sup>118</sup> See A/HRC/28/68/Add.2, para. 44.
- <sup>119</sup> See CEDAW/C/TJK/CO/4-5, para. 33.
- <sup>120</sup> See country team submission to the review of Tajikistan, para. 16.
- <sup>121</sup> See CEDAW/C/TJK/CO/4-5, para. 33.
- <sup>122</sup> See E/C.12/TJK/CO/2-3, para. 26.
- <sup>123</sup> See CCPR/C/TJK/CO/2, para. 20. See also country team submission to the review of Tajikistan, paras. 45-46.
- <sup>124</sup> See CCPR/C/TJK/CO/2, para. 20. See also country team submission to the review of Tajikistan, para. 45.
- <sup>125</sup> See CCPR/C/TJK/CO/2, para. 20. See also country team submission to the review of Tajikistan, para. 49.
- <sup>126</sup> See CCPR/C/TJK/CO/2, para. 21.
- <sup>127</sup> See country team submission to the review of Tajikistan, para. 36.
- <sup>128</sup> See CCPR/C/TJK/CO/2, para. 22. See also country team submission to the review of Tajikistan, para. 36.
- <sup>129</sup> See country team submission to the review of Tajikistan, para. 37.
- <sup>130</sup> See CCPR/C/TJK/CO/2, para. 22. See also country team submission to the review of Tajikistan, para. 38.
- <sup>131</sup> See UNESCO submission to the review of Tajikistan, para. 36.
- <sup>132</sup> See CCPR/C/TJK/CO/2, para. 22.
- <sup>133</sup> See *ibid.*, para. 23.
- <sup>134</sup> See E/C.12/TJK/CO/2-3, para. 10. See also country team submission to the review of Tajikistan, para. 40; A/HRC/29/25/add.3; OHCHR 2014 Report, p. 31; and Press briefing notes on Tajikistan,

- available from  
<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16288&LangID=E>.
- 135 See A/HRC/29/50, p. 12.
- 136 See country team submission to the review of Tajikistan, para. 41.
- 137 See CCPR/C/TJK/CO/2, para. 23. See also country team submission to the review of Tajikistan, para. 40; and A/HRC/23/29/Add. 2, para. 393.
- 138 See CCPR/C/TJK/CO/2, para. 23. See also E/C.12/TJK/CO/2-3, para. 10; and A/HRC/23/29/Add. 2, para. 394.
- 139 See country team submission to the review of Tajikistan, para. 39.
- 140 See CCPR/C/TJK/CO/2, para. 24.
- 141 See country team submission to the review of Tajikistan, para. 42. See also Press briefing notes on Tajikistan, available from  
<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16555&LangID=E>.
- 142 See CCPR/C/TJK/CO/2, para. 25.
- 143 See CERD/C/TJK/CO/6-8, para. 12.
- 144 See CEDAW/C/TJK/CO/4-5, para. 22. See also CCPR/C/TJK/CO/2, para. 6; and E/C.12/TJK/CO/2-3, para. 16.
- 145 See E/C.12/TJK/CO/2-3, para. 17.
- 146 ILO Committee of Experts on the Application of Conventions and Recommendations, direct request concerning ILO Maternity Protection Convention (Revised), 1952 (No. 103) – Tajikistan, adopted in 2014, published 104st ILC session (2015), available from  
[http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3183849:NO](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3183849:NO). See also CEDAW/C/TJK/CO/4-5, para. 25.
- 147 See A/HRC/23/41/Add.2, paras. 5 and 48.
- 148 Secretary-General's remarks to the press after meeting the President of Tajikistan, available from  
[http://www.un.org/apps/news/infocus/speeches/statments\\_full.asp?statID=2641#.Vr29q032ZMx](http://www.un.org/apps/news/infocus/speeches/statments_full.asp?statID=2641#.Vr29q032ZMx)
- 149 See E/C.12/TJK/CO/2-3, para. 21.
- 150 See *ibid.*, para. 28. See also Secretary-General's remarks to the press after meeting the President of Tajikistan, available from  
[http://www.un.org/apps/news/infocus/speeches/statments\\_full.asp?statID=2641#.Vr29q032ZMx](http://www.un.org/apps/news/infocus/speeches/statments_full.asp?statID=2641#.Vr29q032ZMx).
- 151 End of mission statement by the United Nations Special Rapporteur on the human right to safe drinking water and sanitation, Tajikistan, 4-12 August 2015, available from  
<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16313&LangID=E>. See also E/C.12/TJK/CO/2-3, para. 28.
- 152 See *ibid.*, para. 29.
- 153 See country team submission to the review of Tajikistan, para. 61.
- 154 See E/C.12/TJK/CO/2-3, para. 27. See also country team submission to the review of Tajikistan, para. 62.
- 155 See A/HRC/23/41/Add.2, para. 48. See also E/C.12/TJK/CO/2-3, para. 30; CEDAW/C/TJK/CO/4-5, para. 28; and country team submission to the review of Tajikistan, para. 60.
- 156 See A/HRC/23/41/Add.2, para. 49. See also E/C.12/TJK/CO/2-3, para. 30.
- 157 See country team submission to the review of Tajikistan, para. 59.
- 158 See E/C.12/TJK/CO/2-3, para. 31.
- 159 See CEDAW/C/TJK/CO/4-5, para. 28.
- 160 See E/C.12/TJK/CO/2-3, para. 32.
- 161 See country team submission to the review of Tajikistan, paras. 56–57.
- 162 See CEDAW/C/TJK/CO/4-5, para. 28. See also E/C.12/TJK/CO/2-3, para. 32; and country team submission to the review of Tajikistan, para. 20.
- 163 See A/HRC/23/41/Add.2, para. 25.
- 164 See *ibid.*, para.50. See also E/C.12/TJK/CO/2-3, para. 32.
- 165 See A/HRC/23/41/Add.2, para.51.
- 166 See E/C.12/TJK/CO/2-3, para. 33.
- 167 See *ibid.*, para. 35. See also UNESCO submission to the review of Tajikistan, paras. 21 and 22.
- 168 See E/C.12/TJK/CO/2-3, para. 34. See also CEDAW/C/TJK/CO/4-5, para. 23.
- 169 See E/C.12/TJK/CO/2-3, para. 14.
- 170 See *ibid.*

- <sup>171</sup> See country team submission to the review of Tajikistan, para. 11. See also E/C.12/TJK/CO/2-3, para. 17.
- <sup>172</sup> See *ibid.*, para. 36.
- <sup>173</sup> See *ibid.*, para. 37. See also country team submission to the review of Tajikistan, para. 64.
- <sup>174</sup> See CERD/C/TJK/CO/6-8, para. 18.
- <sup>175</sup> See country team submission to the review of Tajikistan, para. 65.
- <sup>176</sup> See CMW/C/TJK/CO/1, para. 6.
- <sup>177</sup> See CMW/C/TJK/CO/1, para. 24. See also para. 32.
- <sup>178</sup> See E/C.12/TJK/CO/2-3, para. 22.
- <sup>179</sup> See CMW/C/TJK/CO/1, para. 44.
- <sup>180</sup> UNHCR submission to the review of Tajikistan, p. 11.
- <sup>181</sup> UNHCR submission to the review of Tajikistan, p. 10. See also CCPR/C/TJK/CO/2, para. 11.
- <sup>182</sup> See CCPR/C/TJK/CO/2, para. 12. See also CAT/C/TJK/CO/2, para. 18; and A/HRC/28/68/Add.2, para. 40.
- <sup>183</sup> See CCPR/C/TJK/CO/2, para. 12. See also CCPR/C/TJK/CO/2, para. 12; and CAT/C/TJK/CO/2, para. 18.
- <sup>184</sup> See A/HRC/28/68/Add.2, para. 41.
- <sup>185</sup> See CCPR/C/TJK/CO/2, para. 13. See also country team submission to the review of Tajikistan, para. 43; and CAT/C/TJK/CO/2, para. 18.
- <sup>186</sup> See CERD/C/TJK/CO/6-8, para. 14.
- <sup>187</sup> UNHCR submission to the review of Tajikistan, p. 2. See also country team submission to the review of Tajikistan, p. 7, para. 50.
- <sup>188</sup> See CCPR/C/TJK/CO/2, para. 11.
- <sup>189</sup> See CERD/C/TJK/CO/6-8, para. 14. See also CCPR/C/TJK/CO/2, para. 11; E/C.12/TJK/CO/2-3, para. 15; and country team submission to the review of Tajikistan, para. 51.
- <sup>190</sup> See CERD/C/TJK/CO/6-8, para. 14.
- <sup>191</sup> UNHCR submission to the review of Tajikistan, p. 3. See also country team submission to the review of Tajikistan, para. 53.
- <sup>192</sup> UNHCR submission to the review of Tajikistan, p. 2. See also country team submission to the review of Tajikistan, para. 52.
- <sup>193</sup> See E/C.12/TJK/CO/2-3, para. 11.
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