



**Convention on the Elimination  
of All Forms of Discrimination  
against Women**

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**Committee on the Elimination of Discrimination  
against Women  
Fifty-sixth session**

**Summary record (partial)\* of the 1172nd meeting**

Held at the Palais des Nations, Geneva, on Wednesday, 9 October 2013, at 3 p.m.

*Chairperson:* Ms. Neubauer (Vice-Chairperson)

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Consideration of reports submitted by States parties under article 18 of the Convention  
(*continued*)

*Combined fourth and fifth periodic report of Tajikistan (continued)*

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\* No summary record was prepared for the rest of the meeting.

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*The meeting was called to order at 3 p.m.*

**Consideration of reports submitted by States parties under article 18 of the Convention** *(continued)*

*Combined fourth and fifth periodic report of Tajikistan (continued)*  
(CEDAW/C/TJK/4-5, CEDAW/C/TJK/Q/4-5 and Add.1)

1. *At the invitation of the Chairperson, the delegation of Tajikistan took places at the Committee table.*

*Articles 7 to 9*

2. **Ms. Jahan** asked whether Tajik women had the same right as men to transmit their nationality to a foreign spouse and their children. She said that many poor, illiterate rural women continued to face discrimination in exercising their rights to nationality, owing to the complex naturalization procedures involved and the difficulties in obtaining the requisite documentation, such as birth certificates. She therefore wished to know what steps had been taken to help such women to obtain birth certificates and to raise awareness of their rights and naturalization processes. In view of the significant number of women with uncertain legal status, including women of Tajik origin left without valid identity documents following the collapse of the Soviet Union, so-called border wives married to Tajik men in Soviet times and female refugees married to Tajik men, she asked what was being done to prevent statelessness and whether there were any plans to collect sex-disaggregated data on the number of stateless persons in Tajikistan. While noting the State party's progress towards the ratification of the Convention relating to the Status of Stateless Persons, she asked whether the Government had any plans to ratify the Convention on the Reduction of Statelessness.

3. **Ms. Tagoeva** (Tajikistan) said that, pursuant to a presidential decree in 2009, several initiatives had been introduced to enhance the general role and status of women in Tajikistan. The Committee on Women and the Family had organized several leadership training courses for women working in the ministries and local government and had published a series of brochures which focused on gender equality issues. Under the foregoing presidential decree, at least one top executive post in the national government ministries and agencies must be held by a woman, with the exception of the defence and internal affairs departments, and most ministries were in compliance with the decree. While there were no female ambassadors in the diplomatic service, steps had been taken to train women to serve in that function. No special quota system had been established for women deputies but seminars and round tables had been held at the national and regional level to address the issue. The Committee on Women and Family Affairs had also worked tirelessly to recruit more women in the civil service. Around 300 young women had entered the civil service in 2010. The number of women participating in political parties and public associations was rising steadily every year and the number of women electoral candidates had increased significantly between 2005 and 2010. Although a certain level of progress had already been achieved, the Government recognized the need for greater representation of women in all sectors and had instigated several training schemes aimed at preparing women for decision-making roles in public and political office.

4. **Ms. Solieva** (Tajikistan) said that the recent police reform had incorporated several measures aimed at establishing gender parity. Women had also actively participated in initiatives organized by the national working group on the role of women in preventing violent extremism and radicalization in Tajikistan, with support from the Organization for Security and Cooperation in Europe (OSCE).

5. The Government recognized that there were many obstacles which continued to prevent women from acquiring Tajik citizenship and had implemented several measures to address the issue. National legislation currently provided for Tajik women living abroad to retain their citizenship and steps had been taken to further improve nationality and refugee law. However, despite the State party's best efforts, a significant proportion of the female population held invalid passports from the Soviet era, which left them stateless. Procedures were in place to encourage eligible persons to apply for new identity documents but only a small proportion of the women affected had done so. Legislation governing the transmission of nationality had also recently been amended so that any foreigner who married a Tajik woman could apply for citizenship after five years of residence in Tajikistan. Women refugees marrying Tajik nationals seemed reluctant to apply for Tajik nationality and had cited the extensive list of documents required for naturalization as a deciding factor. However, such women were not left unprotected, as they could access the same services and had the same rights as Tajik nationals under the law.

6. **Ms. Zou Xiaojiao** asked the delegation to provide data on the number of teachers and the primary and secondary school dropout rates disaggregated by sex and by region. She wished to know what additional measures had been taken to reduce the dropout rate for girls and to facilitate their access to education. She also sought clarification on the steps taken to improve school infrastructure and to train more teachers, particularly in rural and remote areas. While commending the adoption of temporary special measures to increase girls' access to higher education, she asked the delegation to provide further information on the type of courses they attended and the measures in place to encourage girls to take up non-traditional subjects. Lastly, she asked whether steps had been taken to improve access to education for girls with disabilities in Tajikistan, in particular through the introduction of appropriate teacher training programmes.

7. **Mr. Bruun** asked what efforts had been made to address the segregation and structural inequalities facing women in the labour market and to ensure that the public and private sectors adhered to the principle of equal pay for work of equal value. He also asked the delegation to provide information on the steps taken to assess whether protective measures contained in section 160 of the Labour Code prohibiting employers from hiring women for underground work in mines, heavy work and work in harmful conditions were strictly related to protecting maternity, and not protecting women because of their sex or due to negative gender-based stereotypes. Had the State party considered ratifying the International Labour Organization (ILO) Maternity Protection Convention, 2000 (No. 183) and Workers with Family Responsibilities Convention, 1981 (No. 156)? He also wished to know whether the Government intended to implement any regulations on child labour.

8. Turning to the issue of migration, he asked the delegation to provide data on the number of migrant workers disaggregated by sex, host country and occupation. He also asked whether any cooperation agreements had been established between Tajikistan and host countries, in particular the Russian Federation, to ensure that migrant women workers had access to social security protection. Lastly, he wished to know how the Government supported the families left behind by male Tajik migrant workers abroad and female Tajik migrant workers upon their return to the country.

#### *Articles 10 to 14*

9. **Ms. Haidar**, commending the State party for its efforts to improve maternal mortality rates, said that they still remained high. More work needed to be done in rural areas, where 73 per cent of the population lived, as there was a lack of skilled medical personnel and general health-care coverage was poor. Access to primary health-care services in rural areas could be improved, for example, by setting up mobile clinics.

10. The State party's efforts in addressing reproductive health matters were noteworthy, but several areas required further work, not least of all the sexual health of adolescents and young adults, who accounted for more than a quarter of the population and were generally uninformed about reproductive health issues, particularly HIV/AIDS. There was also a need to improve access to reproductive health services for women with disabilities. She wished to know what the State party was doing to address the prevailing stigmatization of women with HIV, including sex workers, and how it was planning to promote the reproductive health of other vulnerable population groups, such as refugees and migrant workers.

11. **Ms. Gabr** said that despite the progress noted in the agricultural sector, women still held only a small fraction of decision-making positions in the industry. She wished to know if the State party had considered introducing quotas or temporary special measures to get more women involved in running enterprises, particularly in rural areas. She also asked if there were any measures to protect the wives and children of migrant workers who had been left behind in rural areas and programmes to promote their education, especially higher education among girls.

12. **Mr. Rahimov** (Tajikistan) said that all residents of Tajikistan had the constitutional right to general education irrespective of their gender or background. Girls represented just under half of all children enrolled in primary and secondary schools. Girls were slightly less well represented at the preschool level. Women accounted for a far smaller share of the students enrolled in higher education institutions, however. Nevertheless, the State party had achieved a 99 per cent attendance rate for compulsory education, which covered the first nine years of school. While the majority of dropouts were girls, the national dropout rate was very low. Girls who did not attend school were generally from lower-income families. The State provided assistance and benefits to such families, including free textbooks, to promote school attendance. The Government had recently revised legislation and adopted a new strategy to reform the education system so that all children were covered.

13. The President had issued a decree to increase the number of female students in higher education between 1997 and 2013, particularly among students in remote areas. Young women tended to study humanities subjects, but they were choosing courses in information technology, design and economics in increasing numbers. Nevertheless, they still naturally shied away from the most technical subjects. However, it was their right to choose their own course of study and his Government made every effort to ensure that girls were empowered to make that choice.

14. The Government had developed a plan to integrate children with disabilities into the regular school system. Several pilot schools had already successfully been opened and regular schools had started receiving students with disabilities. The schools had been suitably equipped and given the necessary financial support. There were also boarding schools available for students with disabilities, but under the new special strategy for inclusive education such students were encouraged to attend regular schools.

15. The problem regarding the absence of separate girls' toilets in certain schools was being resolved and many new schools were being built and fully equipped with modern amenities. Statistics on education were gathered and published every year and were available in Russian and Tajik on the Ministry of Education website. They would also be translated into English.

16. **Ms. Sharipova** (Tajikistan) said that the national average monthly wage of men was almost double that of women. While national legislation prohibited such wage discrimination and provided for equal labour rights for all, negative gender stereotypes were still prevalent and were a cause of the gender pay gap. Another problem was the competitive labour market, which tended to force women into low-paid jobs, and closed off

career development opportunities. A large number of women were currently working in the informal sector, often as domestic workers, without proper employment contracts, decent pay and social protection. They also had limited opportunities to own or manage land. However, the Government was introducing training schemes to increase the skills of many women, including women with disabilities, in various parts of the country and employment sectors in order to boost women's employment.

17. The Government would be reviewing the list of occupations deemed too hazardous for women and removing or reclassifying many of them given recent technological advances and changes in production methods. The Labour Code provided for equal pay for equal work, but allowed for extra pay for overtime, for example.

18. The informal sector was larger than the formal sector in Tajikistan and employed many women and young people in various parts of the economy. Moreover, many workers were self-employed and made a living from the goods and services that they themselves produced. The Government, in cooperation with ILO, worked to protect children's rights and prevent the use of child labour. To that end, it had formed an oversight body to carry out periodic workplace inspections, and had already succeeded in detecting and reducing the incidence of child labour.

19. **Ms. Solieva** (Tajikistan) said that labour migration was no longer the exclusive domain of men, as an increasing number of Tajik women sought employment abroad in recent years. Women with a low level of qualifications tended to work as domestic workers and in the service sector, while women with a higher level of education often worked in the health-care sector or in hotels and catering. However, such work left many female workers vulnerable, as many did not work on a contractual basis and lacked access to social services and protection. The Government had drawn up a national strategy to help to prepare migrants for work abroad, to ensure that they entered into employment contracts and guided them towards labour markets and countries in need of workers. The strategy did not differentiate between men and women in its approach. The increase in labour migration had prompted her Government to take steps to ensure that the rights of workers were protected.

20. The Russian Federation received the vast majority of Tajik migrant workers and there were bilateral agreements and a sound legal framework in place to protect migrant workers. Upon their return to Tajikistan, migrant workers could apply for microcredit in order to set up their own businesses or enrol in training programmes to acquire new skills and improve their employment prospects at home.

21. **Ms. Jobirova** (Tajikistan) said the maternal mortality rate in Tajikistan was among the highest in Central Asia. However, steady progress had continued to be made in maternal health in recent years, with the maternal mortality ratio reduced by more than half since the Republic had gained independence. The Government had taken several steps to improve obstetric care in rural areas with support from a number of international partners, including improving infrastructure and training medical personnel, in particular midwives.

22. It had also stepped up its efforts to raise awareness among young people in schools about sexually transmitted diseases and HIV/AIDS. Reproductive health offices had been set up to offer young people confidential counselling, treatment and access to contraception. Young women in particular currently had access to free adolescent and reproductive health care, including gynaecological surgery. The Ministry of Health had launched campaigns to raise awareness about reproductive health and eliminate discrimination against persons with HIV/AIDS. Pregnant women with HIV were treated in the same maternity clinics as other women and had access to therapy for the prevention of mother-to-child transmission.

23. **Ms. Togoëva** (Tajikistan) said that her Government had developed guidelines to ensure that men and women enjoyed equal rights and opportunities and a national

programme to promote rural women's access to land. It had also set up a gender network to incorporate a gender perspective into its work, which included the Statistics Agency, various ministries and voluntary associations involved in the agricultural sector. Considerable efforts had been made to improve the skills of rural workers, particularly those who worked on privately owned commercial farms (*dekhan*). A number of women had benefited from public projects to develop such industries as beekeeping and poultry farming. Lastly, the Government was continuing to work closely with civil society to enhance women's awareness about their rights, including the right of equal access to land, through legal literacy programmes and legal assistance centres, with the support of foreign donors.

#### *Articles 15 and 16*

24. **Ms. Halperin-Kaddari** noted with concern that unregistered, religious marriages were widespread in Tajikistan. Those marriages had been referred to erroneously in the report of the State party as *de facto* marital relations. She drew attention to general recommendation No. 29 on the economic consequences of marriage, family relations and their dissolution, particularly paragraphs 25 and 26 concerning the need for registration of marriage. The recommendation stated that the State must protect the rights of women in marriages, regardless of their registration status, and reaffirmed that polygamous marriages should be prohibited, as they contravened a women's right to equality with men. While the law required all marriages to be registered, how was the law on registration enforced? What awareness-raising measures had been taken to prevent unregistered marriage? What laws were in place to protect the rights of children born to parents in unregistered, customary marriages? More information was needed on measures in place to ensure that divorced fathers who were migrant workers continued to pay child support. Was there a welfare system for abandoned families?

25. **Ms. Acar** said that the deep structural problems facing the country required comprehensive, multisectoral reform. Labour migration trends had made women more vulnerable than before. They faced unemployment or were forced into low-paid, unskilled work. What holistic policies did the State party envisage to tackle such problems, as they were unlikely to be resolved any time soon? She also wondered whether it was considering adopting legislation to protect the rights of women in *de facto* partnerships.

26. **Mr. Kholikzoda** (Tajikistan) said that the Constitution provided that the family was the foundation of society and, as such, fell under the protection of the State. Men and women who had reached the legal age for marriage had the right to marry freely. Spouses enjoyed equal relations and equal rights. Polygamy was prohibited. Religious marriages had no legal standing and all marriages must be registered with a civil registry office to be recognized under the law. Under the law, men and women had equal rights and responsibilities as parents. Seminars, meetings and media events were held regularly to raise awareness about issues such as early marriage and polygamy. His Government was also working with the support of the Swiss Agency for Development and Cooperation to increase women's access to justice, including increasing awareness about family law.

27. **Ms. Tagoeva** (Tajikistan) said that, under the Civil Code, children born to parents whose marriages were unregistered enjoyed the same rights as children born to parents who married legally. Women were entitled to apply to the court to establish paternity of a child if there was no voluntary acknowledgement of paternity. Women with dependant children in unregistered marriages who were abandoned were entitled to receive child support and to settle in the same home after the separation.

28. **Mr. Ashurov** (Tajikistan) said that persons married in religious ceremonies were given a year to register their marriages under the national law regulating ceremonies. Men

and women in such marriages had the same rights and obligations as persons whose marriages had been registered, including in the event of divorce.

29. **Mr. Alizoda** (Tajikistan) said that labour migration was a serious issue in Tajikistan, with about 1 million Tajik migrant workers abroad, many of whom had had to leave their wives and children behind. A working group had been established under the Office of the Human Rights Ombudsman to help those women and children and efforts were under way to set up a fund to support them. His Government was also working closely with the local authorities in the Russian Federation to protect the rights of Tajik migrant workers. It had also launched a number of domestic programmes to tackle structural problems in such areas as health, employment and agriculture.

30. **Ms. Halperin-Kaddari** said that she would appreciate further details of the law governing ceremonies, as the protections afforded under the law did not seem to work. While the law was a first step towards protecting married women's rights, further enforcement measures were needed.

31. **Mr. Ashurov** (Tajikistan) said that the law in question, the Regularization of Traditions, Festivals and Ceremonies Act, covered many aspects of life in Tajikistan. Persons who violated the law incurred administrative liability and were subject to rather stiff fines. Furthermore, cases of failing to register marriages were on the decline. He could provide the relevant statistical data at a later date.

32. **Ms. Tagoeva** (Tajikistan) said that the law was effectively enforced, owing in part to the fact that extensive, nationwide consultations had been held prior to its adoption.

33. **Mr. Ashurov** (Tajikistan) said that his Government had also established effective mechanisms to monitor the implementation of the law.

34. **Ms. Togoeva** (Tajikistan) said that the observations made by the Committee were invaluable. She thanked the Committee for the benevolent spirit in which they were made and assured it that her Government shared the goal of more effective implementation of the obligations that it had undertaken under the Convention.

35. **The Chairperson** commended the State party on its efforts and encouraged it to take all necessary measures to address the various recommendations of the Committee.

*The discussion covered in the summary record ended at 5 p.m.*