



# General Assembly

Distr.: General  
25 July 2011

Original: English

---

**Human Rights Council**  
**Working Group on the Universal Periodic Review**  
**Twelfth session**  
Geneva, 3–14 October 2011

**Compilation prepared by the Office of the High  
Commissioner for Human Rights in accordance with  
paragraph 15 (b) of the annex to Human Rights Council  
resolution 5/1**

## Tajikistan

The present report is a compilation of the information contained in the reports of treaty bodies, special procedures, including observations and comments by the State concerned, and other relevant official United Nations documents. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), other than those contained in public reports issued by OHCHR. It follows the structure of the general guidelines adopted by the Human Rights Council. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the four-year periodicity of the first cycle of the review. In the absence of recent information, the latest available reports and documents have been taken into consideration, unless they are outdated. Since this report only compiles information contained in official United Nations documents, lack of information or focus on specific issues may be due to non-ratification of a treaty and/or to a low level of interaction or cooperation with international human rights mechanisms.

## I. Background and framework

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

<i>Universal human rights treaties<sup>2</sup></i>	<i>Date of ratification, accession or succession</i>	<i>Declarations/reservations</i>	<i>Recognition of specific competences of treaty bodies</i>
ICERD	11 January 1995	None	Individual complaints (art. 14): No
ICESCR	4 January 1999	None	–
ICCPR	4 January 1999	None	Inter-State complaints (art. 41): No
ICCPR-OP 1	4 January 1999	None	–
CEDAW	26 October 1993	None	–
CAT	11 January 1995	None	Inter-State complaints (art. 21): No  Individual complaints (art. 22): No  Inquiry procedure (art. 20): Yes
CRC	26 October 1993	None	–
OP-CRC-AC	5 August 2002	Binding declaration under art. 3: 18 years	–
OP-CRC-SC	5 August 2002	None	–
ICRMW	8 January 2002	None	Inter-State complaints (art. 76): No  Individual complaints (art. 77): No

*Treaties to which Tajikistan is not a party:* OP-ICESCR,<sup>3</sup> ICCPR-OP2, OP-CEDAW (signature only, 2000), OP-CAT, CRPD, CRPD-OP, and CED.

<i>Other main relevant international instruments</i>	<i>Ratification, accession or succession</i>
Convention on the Prevention and Punishment of the Crime of Genocide	No

<i>Other main relevant international instruments</i>	<i>Ratification, accession or succession</i>
Rome Statute of the International Criminal Court	Yes
Palermo Protocol <sup>4</sup>	Yes
Refugees and stateless persons <sup>5</sup>	Yes, except the conventions on stateless persons.
Geneva Conventions of 12 August 1949 and Additional Protocols thereto <sup>6</sup>	Yes, except Additional Protocol III
ILO fundamental conventions <sup>7</sup>	Yes
UNESCO Convention against Discrimination in Education	Yes

1. The Committee on the Rights of the Child (CRC) recommended that Tajikistan consider ratifying the CRPD<sup>8</sup> and its Optional Protocol; the CED;<sup>9</sup> OP-ICESCR and OP-CAT.<sup>10</sup> The United Nations Country Team (UNCT) recommended that Tajikistan consider ratification of the ICCPR-OP2.<sup>11</sup>

2. The Committee on the Elimination of Discrimination against Women (CEDAW) and the Special Rapporteur on violence against women recommended that Tajikistan ratify the OP-CEDAW.<sup>12</sup> Furthermore, CEDAW encouraged Tajikistan to accept the amendment to article 20, paragraph 1, of the CEDAW.<sup>13</sup>

3. UNHCR and UNCT recommended that Tajikistan accede to the 1954 Convention relating to the Status of Stateless Persons<sup>14</sup> and the 1961 Convention on the Reduction of Statelessness.<sup>15</sup>

4. The Committee against Torture (CAT) recommended that Tajikistan consider making the declaration under articles 21 and 22 of CAT.<sup>16</sup>

5. The Committee on the Elimination of Racial Discrimination (CERD) recommended that Tajikistan make the optional declaration provided for in article 14 of CERD and ratify the amendments to article 8, paragraph 6, of the Convention.<sup>17</sup>

## **B. Constitutional and legislative framework**

6. CAT was concerned that the definition of torture provided in domestic law was not fully in conformity with the definition in the Convention.<sup>18</sup>

## **C. Institutional and human rights infrastructure**

7. As of [July 2011], Tajikistan does not have a national human rights institution accredited by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC).<sup>19</sup>

8. CRC welcomed the establishment of the Human Rights Ombudsman Institution. It recommended that Tajikistan ensure that the structure and functions of this Institution are in line with the Paris Principles and provide it with adequate resources.<sup>20</sup> Furthermore, CRC recommended that Tajikistan consider establishing a Children's Rights Ombudsman.<sup>21</sup>

9. While welcoming the adoption of the National Plan of Action for Children for 2003-2010, CRC regretted that there was no mechanism to follow up and evaluate its implementation.<sup>22</sup>

10. UNCT noted the functioning of various national bodies entrusted with human rights protection, including the commissions on the rights of the child and on the implementation of Tajikistan's international obligations in human rights.<sup>23</sup> In this respect, CRC recommended that Tajikistan allocate sufficient resources to the Commission on the Rights of the Child.<sup>24</sup> The Special Rapporteur on violence against women recommended that Tajikistan strengthen the institutional capacity of the Committee on Women and the Family with enhanced political authority and sufficient resources.<sup>25</sup>

## D. Policy measures

11. CEDAW commended Tajikistan for a number of decisions that provided a basis for the implementation of its international human rights obligations, including the "State System of human rights education in the Republic of Tajikistan" programme.<sup>26</sup> UNCT stated that in the course of implementation of this programme, human rights was introduced as a subject into secondary schools and student textbooks and teachers' manuals were developed. Further, a Human Rights Chair was set up at the Law Faculty of the State National University in 2007.<sup>27</sup> UNCT recommended that Tajikistan further expand the human rights educational activities with the focus on law enforcement, civil servants and vulnerable groups.<sup>28</sup>

12. UNCT stated that the Government should continue cooperation with civil society and involve it at early stages of drafting policies and legislation.<sup>29</sup> CRC encouraged Tajikistan to support initiatives at strengthening the role of NGOs.<sup>30</sup>

## II. Promotion and protection of human rights on the ground

### A. Cooperation with human rights mechanisms

#### 1. Cooperation with treaty bodies

<i>Treaty body<sup>31</sup></i>	<i>Latest report submitted and considered</i>	<i>Latest concluding observations</i>	<i>Follow-up response</i>	<i>Reporting status</i>
CERD	2004	August 2004		Combined sixth and seventh report overdue since 2008.
CESCR	2005	November 2006	–	Combined second and third report due in 2011.
HR Committee	2004	July 2005	Submitted in July 2006.	Second report overdue since 2008.
CEDAW	2005	February 2007		Combined fourth and fifth

<i>Treaty body<sup>31</sup></i>	<i>Latest report submitted and considered</i>	<i>Latest concluding observations</i>	<i>Follow-up response</i>	<i>Reporting status</i>
				report overdue since 2010.
CAT	2005	November 2006	Overdue since 2007.	Second report due in 2008, submitted in 2010.
CRC	2008	January 2010	–	Combined third, fourth and fifth report due in 2015.
OP-CRC-AC			–	Initial report overdue since 2004.
OP-CRC-SC				Initial report overdue since 2004.
CMW			–	Initial report due since 2004, submitted in 2010.

13. UNCT considered that the implementation of the recommendations of the treaty bodies remained insufficient.<sup>32</sup>

## 2. Cooperation with special procedures

<i>Standing invitation issued</i>	<i>No</i>
<i>Latest visits or mission reports</i>	SR on violence against women in 2008 <sup>33</sup> SR on freedom of religion or belief in 2007 <sup>34</sup> SR on the independence of judges and lawyers in 2005 <sup>35</sup>
<i>Visits agreed upon in principle</i>	SR on adequate housing
<i>Follow-up to visits</i>	In 2009, SR on freedom of religion or belief sent communication on the follow-up to the visit of 2007. <sup>36</sup>
<i>Responses to letters of allegations and urgent appeals</i>	During the period under review, 7 communications were sent. The Government replied to 2 communications.
<i>Responses to questionnaires on thematic issues</i>	Tajikistan responded to 1 of the 24 questionnaires sent by special procedures

mandate holders.<sup>37</sup>

14. UNCT considered that the implementation of the special procedures' recommendations remained insufficient.<sup>38</sup>

### **3. Cooperation with the Office of the High Commissioner for Human Rights**

15. In 2010, a Human Rights Adviser (HRA) was deployed, inter alia, to assist Tajikistan to develop capacities to protect and promote human rights.<sup>39</sup> The OHCHR regional office in Bishkek for the Central Asian region, which was established in 2008, offered its services to Tajikistan.<sup>40</sup>

## **B. Implementation of international human rights obligations**

### **1. Equality and non-discrimination**

16. CEDAW was concerned about the resurgence of patriarchal attitudes subordinating women and of strong stereotypes regarding their roles and responsibilities in the family and society.<sup>41</sup> It called upon Tajikistan to implement comprehensive measures, in particular in rural areas, to initiate change in the widely accepted subordination of women and the stereotypical roles applied to both sexes.<sup>42</sup>

17. The United Nations Entity for Gender Equality and the Empowerment of Women (UN Women) noted concerns expressed about de facto discrimination against women.<sup>43</sup> Likewise, CESCR was concerned about persistent gender inequalities in employment, equal remuneration, education and equal participation in political and public life.<sup>44</sup> UN Women stated that owing to existing social norms and lack of legal awareness, women were reluctant to demand protection of their rights.<sup>45</sup>

18. CEDAW was concerned that the Law on State Guarantees of Equal Rights of Men and Women and Equal Opportunities in the Exercise of Such Rights was silent on operational aspects needed to ensure gender equality and resolve cases of discrimination against women. It invited Tajikistan to consider amending the Law to clarify its operational aspects and urged it to strengthen existing complaints mechanisms.<sup>46</sup> UN Women stated that the above-mentioned request by CEDAW had not been met. It also noted the ineffective implementation of the Law.<sup>47</sup>

19. CRC remained concerned about the persisting de facto discrimination against girls and about high school dropout rates of girls in rural areas due to negative traditional and religious attitudes on the roles of girls and women in the society.<sup>48</sup>

20. CRC remained concerned at discriminatory attitudes and discrimination against children with disabilities.<sup>49</sup>

21. UNCT stated that, despite overall poverty decline, disparities were observed across the regions and that urban poverty continued to be lower than rural poverty.<sup>50</sup> CRC was concerned that child poverty was higher than overall poverty.<sup>51</sup> CRC was also concerned at the regional disparities in the standards of living.<sup>52</sup> CESCR urged Tajikistan, inter alia, to address the significant rural and urban disparities in health-care provisions.<sup>53</sup>

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

22. HR Committee noted the moratorium declared in 2004 on the imposition and execution of death sentences.<sup>54</sup> UNCT, however, reported that capital punishment was still retained in the legislation for some criminal offences.<sup>55</sup>

23. CAT was concerned at the high number of deaths in custody. It recommended that Tajikistan ensure prompt, impartial and full investigations into all complaints and into all instances of deaths in custody.<sup>56</sup>

24. In 2006, CAT expressed concern about numerous allegations concerning the use of torture and ill-treatment by law enforcement agencies, particularly to extract confessions to be used in criminal proceedings.<sup>57</sup> In 2005, HR Committee expressed similar concerns.<sup>58</sup> Tajikistan, in its follow-up response, indicated, inter alia, that while isolated incidents occurred, there was no widespread use of unlawful methods by investigators.<sup>59</sup> CAT recommended that Tajikistan condemn and prevent the practice of torture.<sup>60</sup>

25. CAT was concerned at: the lack of a legal obligation to register detainees immediately upon loss of liberty; the absence of adequate records regarding the arrest and detention of persons; the lack of regular independent medical examinations; and reports of hampered access to legal counsel immediately following arrest. CAT recommended that Tajikistan, inter alia, ensure detainees have prompt access to a lawyer, doctor and family members from the time they are taken into custody and consider the establishment of an independent health service to conduct examinations of detainees upon arrest and release.<sup>61</sup>

26. CAT was concerned about allegations of poor conditions of detention, in particular, overcrowding and poor sanitation.<sup>62</sup>

27. CRC was concerned at: the high prevalence of domestic violence, particularly against women and girls; the societal acceptance of widespread violence and the impunity of perpetrators.<sup>63</sup> The Special Rapporteur on violence against women stated that violence against women went largely unreported and that the State bodies' responses to protect and support victims of violence and prosecute perpetrators had been insufficient.<sup>64</sup>

28. The Special Rapporteur on violence against women recommended that Tajikistan treat violence against women as a criminal offence, and investigate and prosecute incidents of this ex officio.<sup>65</sup> CEDAW called upon Tajikistan to enact the existing draft Bill on Social and Legal Protection against Domestic Violence.<sup>66</sup> CRC recommended that Tajikistan develop a national plan to prevent and eradicate violence against women, including protection and rehabilitation of victims and punishment of perpetrators.<sup>67</sup>

29. CEDAW was concerned that Tajikistan remained a country of origin and transit for trafficked women and girls.<sup>68</sup> UNCT noted that in some cases men who voluntarily travelled to other countries were subjected to labour exploitation. It noted the absence of a formal referral system and of specific budgetary allocations for victim protection in 2010.<sup>69</sup>

30. Furthermore, CRC was concerned that Tajikistan did not adequately prosecute and convict perpetrators complicit in trafficking and ensure that victims have access to protection.<sup>70</sup> CAT was concerned at alleged involvement of officials in acts of human trafficking.<sup>71</sup> CEDAW called on Tajikistan to effectively implement its programme to combat human trafficking for 2006-2010, effectively enforce the Trafficking in Persons Act and to intensify international and bilateral cooperation to further curb the phenomenon.<sup>72</sup>

31. In 2010, CRC was concerned that there were no explicit prohibition and sanctions in the legislation to prevent child labour and about the high prevalence of child labour in informal and service sectors, and in agriculture, principally in cotton fields.<sup>73</sup> Similarly, ILO Committee of Experts on the Application of Conventions and Recommendations noted the information that a significant number of children assisted their parents in the cotton fields and that the practice of having children work in the cotton fields by the educational establishments existed.<sup>74</sup> In 2011, UNCT noted the progress in enforcing the prohibition of child labour in the annual cotton harvest.<sup>75</sup>

32. CRC was also concerned about the high prevalence of domestic work, which affected girls and caused an increasing number of dropouts of girls, especially in rural

areas.<sup>76</sup> CRC recommended that Tajikistan eradicate child labour by addressing the root causes of economic exploitation through poverty eradication and education, enforce minimum-age standards and strengthen the labour inspectorate.<sup>77</sup>

33. CRC regretted that corporal punishment was not explicitly prohibited and was used as a disciplinary measure at home, and in schools and child care institutions.<sup>78</sup> CRC recommended that Tajikistan, *inter alia*, enact legislation in order to explicitly prohibit corporal punishment in all settings; organize awareness campaigns on the negative impact of corporal punishment on children; and investigate reported cases of corporal punishment.<sup>79</sup>

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

34. CAT was concerned at the inadequate independence and effectiveness of the judiciary.<sup>80</sup> Furthermore, the Special Rapporteur on the independence of judges and lawyers stated that the executive branch remained influential in the selection and appointment procedures for judges.<sup>81</sup> The Special Rapporteur also stated that corruption appeared to be an impediment to the effective functions of the judiciary and in this context, referred to the low salaries of judges.<sup>82</sup>

35. HR Committee recommended that Tajikistan limit the jurisdiction of military courts to military persons only.<sup>83</sup>

36. CAT was concerned that the Procuracy had the double responsibility for prosecution and oversight of investigations into complaints.<sup>84</sup> Furthermore, the Special Rapporteur on the independence of judges and lawyers referred to legal provisions entitling prosecutors to oversee laws, to “protest” against a judicial decision and defer temporarily the execution of judicial decisions.<sup>85</sup> The Special Rapporteur stated that the overarching role of the prosecutors put obstacles in the way of the reform endeavours towards the effective and independent functioning of the judiciary and prevented the principle of equality of arms in judicial proceedings.<sup>86</sup>

37. CAT was concerned about the failure of judges to dismiss or return cases for further investigation in instances where confessions were obtained as a result of torture, and numerous allegations of statements obtained as a result of torture being used as evidence.<sup>87</sup>

38. CAT was concerned about an apparent lack of convictions of public officials for acts of torture and ill-treatment despite numerous allegations of torture and ill-treatment.<sup>88</sup> Furthermore, CAT was concerned about the lack of appropriate legislation and an independent mechanism to permit victims of acts of torture and ill-treatment to complain and have their cases examined promptly and impartially; and of compensation for victims. It recommended that Tajikistan establish an independent complaints mechanism, outside the Procuracy, for persons who are held in custody, and amend its legislation so that there is no statute of limitation for registering complaints against acts of torture.<sup>89</sup>

39. CAT was concerned at the extensive resort to pre-trial detention that may last up to 15 months.<sup>90</sup>

40. In 2005, HR Committee recommended that Tajikistan ensure that administrative detention is subject to the same right to challenge the lawfulness of the detention as ought to pertain to other forms of detention.<sup>91</sup> CAT was concerned about reports that there was no systematic review of all places of detention, by national or international monitors, and that regular and unannounced access to such places was not permitted.<sup>92</sup> UNCT expressed similar concerns and noted that despite long years of negotiations, the International Committee of the Red Cross was not granted access to penal institutions.<sup>93</sup>

41. While noting the adoption of the National Action Plan on Juvenile Justice Reform 2010-2015 and of relevant legislative amendments, UNCT stated that the juvenile justice

system did not fully comply with international standards.<sup>94</sup> Likewise, CAT expressed concern at the lack of a well-functioning juvenile justice system.<sup>95</sup> CRC was concerned that: the criminal justice system lacked juvenile courts and judges who specialized in juvenile justice; children below 14, despite the age of criminal responsibility set at 14, were frequently subjected to arrest and detention; and children aged 16 or above were kept in closed institutions for minor offences.<sup>96</sup>

42. Additionally, UNCT stated that although the majority of juvenile offences were low-level crimes, the system responded with punitive measures by focusing on deprivation of liberty, rather than rehabilitation and reintegration. Furthermore, children who were imprisoned received limited rehabilitation, education or vocational training.<sup>97</sup>

#### **4. Right to privacy, marriage and family life**

43. UNCT noted the high rate of unregistered marriages.<sup>98</sup> CEDAW urged Tajikistan to prohibit and prevent unregistered unions.<sup>99</sup>

44. CEDAW was concerned that forced marriages continued to take place, including with women below the legal age for marriage.<sup>100</sup>

45. CRC was concerned about the existence of the practice of religious unregistered marriages (nikah) of young girls, especially in rural areas, into polygamous arrangements.<sup>101</sup> CEDAW was concerned that polygamous unions were not uncommon, and by the fact that second and subsequent wives did not have any rights concerning property and inheritance.<sup>102</sup> While noting that polygamy was prohibited in the Criminal Code, CRC was, however, concerned that Tajikistan rarely prosecuted such cases.<sup>103</sup> CRC urged Tajikistan, inter alia, to enforce the provision of the Criminal Code on polygamous marriages, by investigating and prosecuting such practices and hold those who perform religious marriages of underage girls criminally responsible.<sup>104</sup>

46. UN Women stated that mass labour migration of the male population increased the number of women-headed households.<sup>105</sup> The Special Rapporteur on violence against women stated that these women lacked expertise and skills and some of them turned to illegal activities or became victims of human trafficking.<sup>106</sup>

47. CRC was concerned that the number of children in State institutions had increased and that many parents preferred institutionalization of children for economic reasons. It was also concerned at the new tendency of temporary institutionalization of children because of migration of their parents.<sup>107</sup>

48. CRC regretted that the institutionalization of children with disabilities remained a common practice.<sup>108</sup> UNCT noted that community-based and family-based care services for children with disabilities were limited.<sup>109</sup>

49. CRC remained concerned that in remote rural areas the registration of birth was not fully implemented and that in some urban households children were not registered owing to the mandatory fees.<sup>110</sup> Furthermore, UNCT mentioned several reasons for non-registration of births, including low capacity and a lack of resources of the registration offices.<sup>111</sup> CRC recommended that Tajikistan, inter alia, remove administrative and financial obstacles that deter parents from registering their children.<sup>112</sup>

#### **5. Freedom of movement**

50. UNHCR noted that travel documents were not issued to refugees, which impeded the refugees' freedom of movement.<sup>113</sup>

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

51. The United Nations Educational, Scientific and Cultural Organization (UNESCO) stated that freedom of speech was restricted, the media was largely controlled by the State and that independent media had difficulties getting a licence to operate.<sup>114</sup>

52. UNESCO reported that defamation was a criminal offence and that it had been used several times against some media outlets, which led to self-censorship among journalists.<sup>115</sup> UNESCO recommended that Tajikistan abolish the criminal provisions on defamation.<sup>116</sup>

53. In 2010, the Special Rapporteur on freedom of expression sent a communication regarding increased pressure on the media. The communication reported allegations that, following the criticism by several newspapers of the Ministry of Defense in September 2010, tax evasion investigations were reportedly initiated into several newspapers; two major newspapers faced problems with publishing and several websites had been blocked. In this respect, the Special Rapporteur, in 2011, remained concerned about attempts to restrict independent reporting and criticism.<sup>117</sup>

54. UNESCO stated that the 2008 Law on Freedom of Information did not define procedural rules or penalties for violations of the Law and thus did not ensure its effective implementation.<sup>118</sup>

55. In 2007, the Special Rapporteur on freedom of religion or belief reported several cases of violent attacks on religious minorities' places of worship and problems of religious communities with regard to their place of worship.<sup>119</sup> The Special Rapporteur stated that places of worship needed to be respected and protected by Tajikistan.<sup>120</sup>

56. The Special Rapporteur on freedom of religion or belief, in 2007, referred to allegations on the use of registration by some local authorities to hinder activities of religious minorities. The Special Rapporteur also stated that obtaining necessary official documents for registration was cumbersome.<sup>121</sup> The Special Rapporteur stated that a domestic provision prohibiting unregistered religious activities would not be in conformity with international standards.<sup>122</sup> In 2008, the Special Rapporteur on freedom of religion or belief reiterated, inter alia, that registration should not be a precondition for practising religion and that registration procedures should be easy and not depend on extensive formal requirements.<sup>123</sup>

57. The Special Rapporteur on freedom of religion or belief was concerned that Tajikistan did not recognize the right to conscientious objection to compulsory military service. She reiterated the recommendation of HR Committee that Tajikistan recognize the right of conscientious objectors to be exempted from military service.<sup>124</sup>

58. CEDAW was concerned at women's low representation in political bodies, especially in the national parliament, and in the higher echelons of public service and the Foreign Service. CEDAW urged Tajikistan to increase women's representation in political and public life, review the entire election process for discriminatory elements from a gender perspective and consider waiving the registration fee for women candidates.<sup>125</sup>

59. CEDAW was concerned about the practice of "family voting" during elections, whereby one family member, usually male, voted for the entire family, especially in rural areas. It urged Tajikistan, inter alia, to establish legal safeguards to prevent such practice.<sup>126</sup>

**7. Right to work and to just and favourable conditions of work**

60. ILO Committee of Experts noted that the new Labour Code lowered the minimum age for employment from 16 to 15 years and requested Tajikistan to take measures to fix the minimum age at 16, as specified upon ratification, with the exception of light work.<sup>127</sup>

61. CEDAW expressed concern about high unemployment of women, the concentration of women in lower-paying and informal sectors, the wage gap between women and men, and about the different retirement ages for women and men.<sup>128</sup>

62. ILO Committee of Experts noted that postnatal leave was not compulsory. It requested Tajikistan to impose a minimum of six weeks as the compulsory part of postnatal leave.<sup>129</sup>

63. CESCR was concerned that the trade unions were not fully independent.<sup>130</sup> ILO Committee of Experts requested that Tajikistan ensure that the legislation provides for rapid and effective protection from acts of anti-union discrimination and acts of interference for all workers in the public and private sectors, with the sole possible exception of the armed forces and the police.<sup>131</sup>

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

64. UNCT reported that while poverty declined significantly in 2009, extreme poverty remained almost unchanged, compared to 2007.<sup>132</sup>

65. According to the 2009-2012 United Nations Development Assistance Framework (UNDAF), education, health care and social welfare suffered from limited financial resources.<sup>133</sup> CRC made a similar observation.<sup>134</sup>

66. CESCR was concerned that the low level of social pensions and unemployment benefits were not sufficient to guarantee an adequate standard of living.<sup>135</sup> CESCR encouraged Tajikistan to undertake periodic review of the amounts of pensions and unemployment benefits to bring them in line with the cost of living.<sup>136</sup>

67. CRC was concerned about limited access to quality medical services in remote rural areas due to the absence of medical establishments and shortage of medical personnel.<sup>137</sup> CRC recommended that Tajikistan, inter alia, increase substantially the proportion of GDP directed to health care and improve the health-care infrastructure.<sup>138</sup>

68. UNCT referred to data that indicated reductions in infant mortality rate and child mortality. It noted that prenatal conditions and respiratory infections continued to be the leading causes of child death.<sup>139</sup> CRC was concerned about high rates of malnutrition among children.<sup>140</sup>

69. CRC was concerned about the lack of children's access to sanitation and clean, sufficient, reliable and affordable drinking water.<sup>141</sup> Similar observations were made in UNDAF.<sup>142</sup>

70. CEDAW was seriously concerned about the limited access to adequate health-care services for women, especially women in rural areas. It was concerned about the low contraceptive prevalence rate and the reported lack of knowledge of young girls about HIV/AIDS.<sup>143</sup> CEDAW recommended that Tajikistan improve women's access to general and reproductive health care and the availability of sexual and reproductive health services.<sup>144</sup>

71. While welcoming the adoption of the National Programme to prevent and combat HIV/AIDS, CRC, in 2010, expressed concern at the lack of reliable data on the number of HIV/AIDS patients, which were increasing and about low-level awareness and knowledge among youth about HIV/AIDS.<sup>145</sup> In 2006, CESCR was also concerned at the rapid spread of HIV, in particular among drug users, prisoners, sex workers and migrant workers returning to the country.<sup>146</sup> CRC urged Tajikistan to take measures to reduce HIV/AIDS infection through, inter alia, pursuing awareness-raising efforts to prevent the incidence and spread of HIV/AIDS.<sup>147</sup>

72. UNDAF reported that only 61 per cent of rural populations had access to adequate water sources and in some big towns, including the capital, over 10 per cent of water supply was untreated river water with frequent interruptions in supply. Sewage services were available to only 23 per cent of the urban population and 5 per cent of the rural population.<sup>148</sup>

73. CESCR was concerned about the lack of social housing units and the absence of a national housing strategy to address the housing needs of the population. It was also concerned that evicted persons generally did not obtain adequate compensation for lost housing or alternative accommodation.<sup>149</sup>

## **9. Right to education**

74. According to UNDAF, the number of preschool institutions had declined.<sup>150</sup>

75. CEDAW was concerned that there was a notable rate of non-attendance by girls at primary schools, a decline in the enrolment of girls in secondary schools, and a low enrolment rate of female students in higher education.<sup>151</sup> UNCT concluded that a low standard of living, increased direct cost of education and revival of traditional views on the role of women in a family and society were among major factors that contributed to low enrolment and attendance rate of girls.<sup>152</sup> CEDAW urged Tajikistan to address the obstacles which prevented girls from attending school or continuing their education.<sup>153</sup>

76. UNCT stated that while education infrastructure had been improved and public spending on the education sector had increased, school infrastructure and conditions remained poor and about 85 per cent of schools operated in two to three shifts owing to a chronic lack of school infrastructure. UNCT referred to several other factors that led to the decrease in the quality of education, such as inadequate training of teachers and the low level of remuneration of teachers.<sup>154</sup> Furthermore, CRC was concerned that children's education was hampered by, inter alia, difficult access to education for children from low income families and girls, and the lack of resources.<sup>155</sup>

77. In 2010, CRC recommended that Tajikistan increase the percentage of GDP allocated to the education sector.<sup>156</sup> ILO Committee of Experts requested Tajikistan to improve the education system, in particular by increasing school enrolment and attendance rates and reducing school drop-out rates.<sup>157</sup>

## **10. Minorities and indigenous peoples**

78. CRC was concerned about insufficient training for teachers in minority languages and the lack of school textbooks and materials in minority languages.<sup>158</sup>

79. CERD noted with concern that minority languages were rarely used on public television and radio, and in newspapers and magazines.<sup>159</sup>

## **11. Migrants, refugees and asylum-seekers**

80. UNCT and UNHCR reported that the Law on Refugees did not fully conform to the Refugee Convention. In particular, it provided for pre-screening procedures before an asylum claim was registered, and included grounds for exclusion which were not set out in the 1951 Convention.<sup>160</sup> Furthermore, UNHCR referred to various preliminary requirements for the access to the asylum procedure and the prohibition for asylum-seekers and refugees from residing in urban areas.<sup>161</sup> UNCT noted that there were no clear procedures for border guards for the identification of asylum seekers and no referral mechanism established.<sup>162</sup>

81. UNCT and UNHCR reported that while the Law on Refugees stipulated granting the status of a refugee for a period of up to three years with a possible extension of another three years, in practice refugee status was granted and extended for twelve months only,

and in some instances a request for the extension of the refugee status was denied without proper procedure of cancellation, revocation or cessations.<sup>163</sup>

82. CESCR was concerned about the difficulties faced by refugees in finding employment, in many cases due to the lack of the necessary documents and to restrictions.<sup>164</sup> Furthermore, UNHCR stated that although refugees and asylum-seekers were entitled to State social assistance, Tajikistan was not able to cover the needs of vulnerable asylum-seekers and refugees.<sup>165</sup>

83. CAT was concerned over the failure of the provision of access to lawyers and to appeal bodies for the purpose of challenging a deportation decision for persons at risk of deportation to countries where there were substantial grounds to believe that they would be in danger of being subjected to torture.<sup>166</sup> UNHCR recommended that Tajikistan ensure full adherence to the principle of non-refoulement.<sup>167</sup>

84. UNCT and UNHCR noted that while refugees were eligible to apply for citizenship under the Law on Citizenship, no refugee had yet been granted citizenship.<sup>168</sup> UNHCR recommended that Tajikistan provide access to nationality to refugees who met the legal requirements and apply for it.<sup>169</sup>

### **III. Achievements, best practices, challenges and constraints**

85. CRC noted that Tajikistan has faced the consequences of civil war and serious economic and social challenges.<sup>170</sup> Furthermore, UNDAF reported that the global financial crisis seemed having a significant impact on employment and remittances, as well as public expenditures.<sup>171</sup>

86. CESCR noted with concern that corruption and nepotism continued to be widespread.<sup>172</sup>

87. UNCT considered poverty to be the main challenge for Tajikistan's development.<sup>173</sup>

### **IV. Key national priorities, initiatives and commitments**

#### **Specific recommendations for follow-up**

88. In 2006, CAT requested that Tajikistan provide, within one year, information regarding its recommendations on the rights of persons deprived of their liberty, the monitoring of detention places, impunity in relation to allegations of torture and confessions obtained by torture.<sup>174</sup> In 2008, CAT sent a reminder.<sup>175</sup>

89. In 2005, HR Committee recommended that Tajikistan submit within one year information on the follow-up to its recommendations concerning use of ill-treatment and torture, equality of arms between the accused and the prosecution, prison conditions, and harassment of journalists.<sup>176</sup> Tajikistan provided a follow-up response.<sup>177</sup>

90. HR Committee has adopted views in 21 individual communications against Tajikistan,<sup>178</sup> finding violations to: the prohibition of torture and ill-treatment, the right to liberty, the right to a fair trial, the right of persons deprived of their liberty to be treated with dignity and/or to the right to life. It requested Tajikistan's follow-up response to its views. No response has been provided with regard to seven requests. Follow-up dialogue had been ongoing.<sup>179</sup>

## V. Capacity-building and technical assistance

N/A

### Notes

<sup>1</sup> Unless indicated otherwise, the status of ratifications of instruments listed in the table may be found in *Multilateral Treaties Deposited with the Secretary-General: Status as at 31 December 2006* (ST/LEG/SER.E.25), supplemented by the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org/>

<sup>2</sup> The following abbreviations have been used for this 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
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 the Convention on the Rights of Persons with Disabilities
CED	International Convention for the Protection of All Persons from Enforced Disappearance.

<sup>3</sup> Adopted by the General Assembly in its resolution 63/117 of 10 December 2008. Article 17, paragraph 1, of OP-ICESCR states that “The present Protocol is open for signature by any State that has signed, ratified or acceded to the Covenant”.

<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> 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 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); Convention relative to the Treatment of Prisoners of War (Third Convention); 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); 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 Federal Department of Foreign Affairs of Switzerland, at [www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html](http://www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html).

<sup>7</sup> International Labour Organization Convention No. 29 concerning Forced or Compulsory Labour; Convention No. 105 concerning the Abolition of Forced Labour, Convention No. 87 concerning Freedom of Association and Protection of the Right to Organise; Convention No. 98 concerning the

Application of the Principles of the Right to Organise and to Bargain Collectively; Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention No. 111 concerning Discrimination in Respect of Employment and Occupation; Convention No. 138 concerning the Minimum Age for Admission to Employment; Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

- <sup>8</sup> See also UNCT submission to the UPR on Tajikistan, 2011, p. 13.
- <sup>9</sup> See also A/HRC/13/31, para. 551.
- <sup>10</sup> CRC/C/TJK/CO/2, para. 75.
- <sup>11</sup> UNCT submission to the UPR on Tajikistan, 2011, p. 14.
- <sup>12</sup> A/HRC/11/6/Add.2, para. 84 (b), See also UNCT submission to the UPR on Tajikistan, 2011, p. 14 and CEDAW/C/TJK/CO/3, para. 42.
- <sup>13</sup> CEDAW/C/TJK/CO/3, para. 42.
- <sup>14</sup> See also CRC/C/TJK/CO/2, para. 65 (d).
- <sup>15</sup> UNHCR submission to the UPR on Tajikistan, p. 2 and UNCT submission to the UPR on Tajikistan, 2011, p. 14.
- <sup>16</sup> CAT/C/TJK/CO/1, para. 21.
- <sup>17</sup> CERD/C/65/CO/8, paras. 24-25.
- <sup>18</sup> CAT/C/TJK/CO/1, para. 5.
- <sup>19</sup> For 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 (ICC), see A/HRC/16/77, annex.
- <sup>20</sup> CRC/C/TJK/CO/2, para.13 (a) and (b), see also UNCT submission to the UPR on Tajikistan, 2011, p. 12.
- <sup>21</sup> CRC/C/TJK/CO/2, para. 13 (c).
- <sup>22</sup> CRC/C/TJK/CO/2, para. 14.
- <sup>23</sup> UNCT submission to the UPR on Tajikistan, 2011, p. 2, see also CEDAW/C/TJK/CO/3, para. 7.
- <sup>24</sup> CRC/C/TJK/CO/2, para. 15.
- <sup>25</sup> A/HRC/11/6/Add.2, para. 84 (a), See also CEDAW/C/TJK/CO/3, para. 16.
- <sup>26</sup> CEDAW/C/TJK/CO/3, para. 8.
- <sup>27</sup> UNCT submission to the UPR on Tajikistan, 2011, p. 12. See also General Assembly resolution 59/113B and Human Rights Council resolutions 6/24, 10/3 and 12/4, OHCHR 2007 Annual Report, Activities and Results, pp. 102 and 104.
- <sup>28</sup> UNCT submission to the UPR on Tajikistan, 2011, p. 13.
- <sup>29</sup> UNCT submission to the UPR on Tajikistan, 2011, p. 13, see also CRC/C/TJK/CO/2, para. 23.
- <sup>30</sup> CRC/C/TJK/CO/2, para. 23.
- <sup>31</sup> The following abbreviations have been used for this document:
- |              |   |
|--------------|---|
| CERD         | Committee on the Elimination of Racial Discrimination   |
| CESCR        | Committee on Economic, Social and Cultural Rights   |
| HR Committee | Human Rights Committee  |
| CEDAW        | Committee on the Elimination of Discrimination against Women                                    |
| CAT          | Committee against Torture   |
| CRC          | Committee on the Rights of the Child  |
| CMW          | Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families. |
- <sup>32</sup> UNCT submission to the UPR on Tajikistan, 2011, p. 12.
- <sup>33</sup> A/HRC/11/6/Add.2.
- <sup>34</sup> A/HRC/7/10/Add.2.
- <sup>35</sup> E/CN.4/2006/52/Add.4.
- <sup>36</sup> A/HRC/13/40/Add.1, paras. 218-219.
- <sup>37</sup> The questionnaires referred to are those reflected in an official report by a special procedure mandate holder issued between 1 January 2007 and 1 June 2011. Responses counted for the purposes of this section are those received within the relevant deadlines, and referred to in the following documents: (a) A/HRC/6/15, para. 7; (b) A/HRC/7/6, annex; (c) A/HRC/7/8, para. 35; (d) A/HRC/8/10, para. 120, footnote 48; (e) A/62/301, paras. 27, 32, 38, 44 and 51; (f) A/HRC/10/16 and Corr.1, footnote 29; (g) A/HRC/11/6, annex; (h) A/HRC/11/8, para. 56; (i) A/HRC/11/9, para. 8, footnote 1; (j)

- A/HRC/12/21, para. 2, footnote 1; (k) A/HRC/12/23, para. 12; (l) A/HRC/12/31, para. 1, footnote 2; (m) A/HRC/13/22/Add.4; (n) A/HRC/13/30, para. 49; (o) A/HRC/13/42, annex I; (p) A/HRC/14/25, para. 6, footnote 1; (q) A/HRC/14/31, para. 5, footnote 2; (r) A/HRC/14/46/Add.1; (s) A/HRC/15/31/Add.1, para. 6; for list of responding States, see <http://www.ohchr.org/EN/Issues/WaterAndSanitation/SRWater/Pages/ContributionsPSP.aspx>; (t) A/HRC/15/32, para. 5.; (u) A/HRC/16/44/Add.3; (v) A/HRC/16/48/Add.3, para. 5 endnote 2; (w) A/HRC/16/51/Add.4 (x)A/HRC/17/38, see annex 1.
- <sup>38</sup> UNCT submission to the UPR on Tajikistan, 2011, p. 12.
- <sup>39</sup> OHCHR 2010 Annual Report, Activities and Results (forthcoming).
- <sup>40</sup> OHCHR 2009 Annual Report, Activities and Results, p. 145.
- <sup>41</sup> CEDAW/C/TJK/CO/3, para. 19, see also E/C.12/TJK/CO/1, para. 18, see also A/HRC/11/6/Add.2, p. 2 and para. 81.
- <sup>42</sup> CEDAW/C/TJK/CO/3, para. 20.
- <sup>43</sup> UN Women submission to the UPR on Tajikistan, 2011, p. 4.
- <sup>44</sup> E/C.12/TJK/CO/1, para. 19.
- <sup>45</sup> UN Women submission to the UPR on Tajikistan, 2011, p. 3, see also A/HRC/11/6/Add.2, para. 39.
- <sup>46</sup> CEDAW/C/TJK/CO/3, paras. 11-12, see also E/CN.4/2006/52/Add. 4, para. 26.
- <sup>47</sup> UNCT submission to the UPR on Tajikistan, 2011, p. 4.
- <sup>48</sup> CRC/C/TJK/CO/2, para. 26.
- <sup>49</sup> CRC/C/TJK/CO/2, para. 26, see also UNCT submission to the UPR on Tajikistan, 2011, p. 4.
- <sup>50</sup> UNCT submission to the UPR on Tajikistan, 2011, p. 3.
- <sup>51</sup> CRC/C/TJK/CO/2, para. 58.
- <sup>52</sup> CRC/C/TJK/CO/2, para. 58.
- <sup>53</sup> E/C.12/TJK/CO/1, para. 67.
- <sup>54</sup> CCPR/CO/84/TJK, para. 3, see also CAT/C/TJK/CO/1, para. 4 and E/CN.4/2006/52/Add. 4, para. 22.
- <sup>55</sup> UNCT submission to the UPR on Tajikistan, 2011, p. 4.
- <sup>56</sup> CAT/C/TJK/CO/1, para. 7.
- <sup>57</sup> CAT/C/TJK/CO/1, para. 6.
- <sup>58</sup> CCPR/CO/84/TJK, para. 10.
- <sup>59</sup> CCPR/C/TJK/CO/4/Add.1.
- <sup>60</sup> CAT/C/TJK/CO/1, para. 6, see also CCPR/CO/84/TJK, para. 10 and CCPR/C/TJK/CO/4/Add.1.
- <sup>61</sup> CAT/C/TJK/CO/1, para. 7, see also CCPR/CO/84/TJK, para. 11.
- <sup>62</sup> CAT/C/TJK/CO/1, para. 20, see also CCPR/CO/84/TJK, para. 14.
- <sup>63</sup> CRC/C/TJK/CO/2, para. 48, see also CEDAW/C/TJK/CO/3, para. 21, E/C.12/TJK/CO/1, para. 27, A/HRC/11/6/Add.2, p. 2 and paras. 24-31, and CCPR/CO/84/TJK, para. 6.
- <sup>64</sup> A/HRC/11/6/Add.2, p. 2 and para. 23, see also paras. 66-68.
- <sup>65</sup> A/HRC/11/6/Add.2, para. 84 (b).
- <sup>66</sup> CEDAW/C/TJK/CO/3, para. 21, see also A/HRC/11/6/Add.2, para. 84(b) and E/C.12/TJK/CO/1, para. 58.
- <sup>67</sup> CRC/C/TJK/CO/2, para. 49, see also UNCT submission to the UPR on Tajikistan, 2011, p. 5, see also A/HRC/11/6/Add.2, para. 84 (b).
- <sup>68</sup> CEDAW/C/TJK/CO/3, para. 23, see also UNCT submission to the UPR on Tajikistan, 2011, p. 5, E/C.12/TJK/CO/1, para. 30, CCPR/CO/84/TJK, para. 24.
- <sup>69</sup> UNCT submission to the UPR on Tajikistan, 2011, pp. 5-6.
- <sup>70</sup> CRC/C/TJK/CO/2, para. 68.
- <sup>71</sup> CAT/C/TJK/CO/1, para. 8.
- <sup>72</sup> CEDAW/C/TJK/CO/3, para. 24.
- <sup>73</sup> CRC/C/TJK/CO/2, para. 66.
- <sup>74</sup> ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Tajikistan (ratification: 1993), 2010, doc. No. (ILOLEX) 092010TJK138, 7th para.; see also E/C.12/TJK/CO/1, para. 59.
- <sup>75</sup> UNCT submission to the UPR on Tajikistan, 2011, p. 5.
- <sup>76</sup> CRC/C/TJK/CO/2, para. 66, see also UNCT submission to the UPR on Tajikistan, 2011, p. 9 and E/C.12/TJK/CO/1, para. 59.
- <sup>77</sup> CRC/C/TJK/CO/2, para. 67, see also E/C.12/TJK/CO/1, para. 60.
- <sup>78</sup> CRC/C/TJK/CO/2, para. 39.

- <sup>79</sup> CRC/C/TJK/CO/2, paras. 40-41, see also CCPR/CO/84/TJK, para. 23.
- <sup>80</sup> CAT/C/TJK/CO/1, para. 10.
- <sup>81</sup> E/CN.4/2006/52/Add.4, para. 87, see also E/C.12/TJK/CO/1, para. 12 and CCPR/CO/84/TJK, para. 17.
- <sup>82</sup> E/CN.4/2006/52/Add.4, para. 80.
- <sup>83</sup> CCPR/CO/84/TJK, para. 18.
- <sup>84</sup> CAT/C/TJK/CO/1, para. 10.
- <sup>85</sup> E/CN.4/2006/52/Add.4, para. 55.
- <sup>86</sup> E/CN.4/2006/52/Add.4, p. 2, see also UNCT submission to the UPR on Tajikistan, 2011, p. 6.
- <sup>87</sup> CAT/C/TJK/CO/1, para. 19, see also CCPR/CO/84/TJK, para. 10.
- <sup>88</sup> CAT/C/TJK/CO/1, para. 17.
- <sup>89</sup> CAT/C/TJK/CO/1, para. 18.
- <sup>90</sup> CAT/C/TJK/CO/1, para. 7.
- <sup>91</sup> CCPR/CO/84/TJK, para. 13.
- <sup>92</sup> CAT/C/TJK/CO/1, para. 16.
- <sup>93</sup> UNCT submission to the UPR on Tajikistan, 2011, p. 4.
- <sup>94</sup> UNCT submission to the UPR on Tajikistan, 2011, p. 6.
- <sup>95</sup> CAT/C/TJK/CO/1, para. 9.
- <sup>96</sup> CRC/C/TJK/CO/2, para. 72, see also UNCT submission to the UPR on Tajikistan, 2011, p. 6.
- <sup>97</sup> UNCT submission to the UPR on Tajikistan, 2011, p. 6.
- <sup>98</sup> UNCT submission to the UPR on Tajikistan, 2011, p. 7.
- <sup>99</sup> CEDAW/C/TJK/CO/3, para. 36, see also A/HRC/11/6/Add.2, para. 84 (c).
- <sup>100</sup> CEDAW/C/TJK/CO/3, para. 37.
- <sup>101</sup> CRC/C/TJK/CO/2, para. 60, see also A/HRC/11/6/Add.2, para. 44.
- <sup>102</sup> CEDAW/C/TJK/CO/3, para. 35, see also A/HRC/7/10/Add.2, para. 42.
- <sup>103</sup> CRC/C/TJK/CO/2, para. 60.
- <sup>104</sup> CRC/C/TJK/CO/2, paras. 60-61; see also CEDAW/C/TJK/CO/3, para. 36.
- <sup>105</sup> UN Women submission to the UPR on Tajikistan, 2011, p. 5.
- <sup>106</sup> A/HRC/11/6/Add.2, para. 21.
- <sup>107</sup> CRC/C/TJK/CO/2, paras. 42-44.
- <sup>108</sup> CRC/C/TJK/CO/2, para. 50.
- <sup>109</sup> UNCT submission to the UPR on Tajikistan, 2011, p. 4.
- <sup>110</sup> CRC/C/TJK/CO/2, para. 33.
- <sup>111</sup> UNCT submission to the UPR on Tajikistan, 2011, p. 7.
- <sup>112</sup> CRC/C/TJK/CO/2, para. 34.
- <sup>113</sup> UNHCR submission to the UPR on Tajikistan, p. 3.
- <sup>114</sup> UNESCO submission to the UPR on Tajikistan, 2011, paras. 16-17, see also CCPR/CO/84/TJK, para. 21.
- <sup>115</sup> UNESCO submission to the UPR on Tajikistan, 2011, para. 18, see also CCPR/CO/84/TJK, para. 22.
- <sup>116</sup> UNESCO submission to the UPR on Tajikistan, 2011, para. 24.
- <sup>117</sup> A/HRC/17/27/Add.1, paras. 2106-2110 and 2113.
- <sup>118</sup> UNESCO submission to the UPR on Tajikistan, 2011, para. 20.
- <sup>119</sup> A/HRC/7/10/Add. 2, paras. 29, 30, 38, 39, 40 and 41.
- <sup>120</sup> A/HRC/7/10/Add. 2, para. 55.
- <sup>121</sup> A/HRC/7/10/Add. 2, para. 32.
- <sup>122</sup> A/HRC/7/10/Add. 2, para. 52.
- <sup>123</sup> A/HRC/7/10/Add. 1, p. 58-59.
- <sup>124</sup> A/HRC/7/10/Add.2, para. 56 and CCPR/CO/84/TJK, para. 20.
- <sup>125</sup> CEDAW/C/TJK/CO/3, paras. 25-26, see also CCPR/CO/84/TJK, para. 7 and UN Women submission to the UPR on Tajikistan, 2011, p. 4.
- <sup>126</sup> CEDAW/C/TJK/CO/3, paras. 25-26.
- <sup>127</sup> ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Tajikistan (ratification: 1993), 2010, doc. No. (ILOLEX) 062010TJK138, 1st para.
- <sup>128</sup> CEDAW/C/TJK/CO/3, para. 29, E/C.12/TJK/CO/1, para. 21.
- <sup>129</sup> ILO Committee of Experts on the Application of Conventions and Recommendations, Individual

- Direct Request concerning Maternity Protection Convention (revised), 1952 (No.103) Tajikistan (ratification: 1993), 2010, doc. No. (ILOLEX) 092010TJK103, 2nd para.
- 130 E/C.12/TJK/CO/1, para. 24.
- 131 ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Direct Request concerning Right to Organise and Collective Bargaining Convention, 1949 (No. 98) Tajikistan (ratification: 1993), 2010, doc. No. (ILOLEX) 092011TJK098, 1st para.
- 132 UNCT submission to the UPR on Tajikistan, 2011, p. 7.
- 133 Tajikistan UNDAF 2010-2015, Dushanbe, 2009, p. 14, available at <http://www.undg.org/unct.cfm?module=CoordinationProfile&page=Country&CountryID=TAJ&fuseaction=UN%20Country%20Coordination%20Profile%20for%20Tajikistan>.
- 134 CRC/C/TJK/CO/2, para. 16, see also UNCT submission to the UPR on Tajikistan, 2011, p. 8.
- 135 E/C.12/TJK/CO/1, para. 25.
- 136 E/C.12/TJK/CO/1, para. 56.
- 137 CRC/C/TJK/CO/2, para. 52, see also E/C.12/TJK/CO/1, para. 35 and UNFPA submission to the UPR on Tajikistan, p. 1.
- 138 CRC/C/TJK/CO/2, para. 53.
- 139 UNCT submission to the UPR on Tajikistan, 2011, p. 8.
- 140 CRC/C/TJK/CO/2, para. 52.
- 141 CRC/C/TJK/CO/2, para. 52.
- 142 Tajikistan UNDAF 2010-2015, Dushanbe, 2009, pp. 14-15, available at <http://www.undg.org/unct.cfm?module=CoordinationProfile&page=Country&CountryID=TAJ&fuseaction=UN%20Country%20Coordination%20Profile%20for%20Tajikistan>.
- 143 CEDAW/C/TJK/CO/3, para. 31, see also E/C.12/TJK/CO/1, para. 36 and UNFPA submission to the UPR on Tajikistan, p. 2.
- 144 CEDAW/C/TJK/CO/3, para. 32, see also E/C.12/TJK/CO/1, para. 68.
- 145 CRC/C/TJK/CO/2, para. 56.
- 146 E/C.12/TJK/CO/1, para. 38.
- 147 CRC/C/TJK/CO/2, para. 57, see also E/C.12/TJK/CO/1, para. 70.
- 148 Tajikistan UNDAF 2010-2015, Dushanbe, 2009, p. 15, available at <http://www.undg.org/unct.cfm?module=CoordinationProfile&page=Country&CountryID=TAJ&fuseaction=UN%20Country%20Coordination%20Profile%20for%20Tajikistan>, see also E/C.12/TJK/CO/1, para. 34.
- 149 E/C.12/TJK/CO/1, paras. 32-33.
- 150 Tajikistan UNDAF 2010-2015, Dushanbe, 2009, p. 14, available at <http://www.undg.org/unct.cfm?module=CoordinationProfile&page=Country&CountryID=TAJ&fuseaction=UN%20Country%20Coordination%20Profile%20for%20Tajikistan>.
- 151 CEDAW/C/TJK/CO/3, para. 27, see also E/C.12/TJK/CO/1, para. 42.
- 152 UNCT submission to the UPR on Tajikistan, 2011, p. 9.
- 153 CEDAW/C/TJK/CO/3, para. 28.
- 154 UNCT submission to the UPR on Tajikistan, 2011, pp. 9-10.
- 155 CRC/C/TJK/CO/2, para. 62, see also E/C.12/TJK/CO/1, para. 41.
- 156 CRC/C/TJK/CO/2, para. 63 (b).
- 157 ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Tajikistan (ratification: 1993), 2010, doc. No. (ILOLEX) 092010TJK138, 2nd para.
- 158 CRC/C/TJK/CO/2, para. 62, see also CERD/C/65/CO/8, para. 17.
- 159 CERD/C/65/CO/8, para. 18.
- 160 UNCT submission to the UPR on Tajikistan, 2011, p. 10 and UNHCR submission to the UPR on Tajikistan, 2011, p. 3.
- 161 UNHCR submission to the UPR on Tajikistan, p. 3.
- 162 UNCT submission to the UPR on Tajikistan, 2011, pp. 10-11.
- 163 UNHCR submission to the UPR on Tajikistan, p. 3 and UNCT submission to the UPR on Tajikistan, 2011, p. 10.
- 164 E/C.12/TJK/CO/1, para. 15.
- 165 UNHCR submission to the UPR on Tajikistan, p. 4.
- 166 CAT/C/TJK/CO/1, para. 13, see also E/C.12/TJK/CO/1, para. 16 and CERD/C/65/CO/8, para. 15.

- 
- <sup>167</sup> UNHCR submission to the UPR on Tajikistan, p. 4.
- <sup>168</sup> UNCT submission to the UPR on Tajikistan, 2011, p. 11 and UNHCR submission to the UPR on Tajikistan, p. 4, see also E/C.12/TJK/CO/1, para. 16 and CERD/C/65/CO/8, para. 14.
- <sup>169</sup> UNHCR submission to the UPR on Tajikistan, p. 4.
- <sup>170</sup> CRC/C/TJK/CO/2, para. 5.
- <sup>171</sup> Tajikistan UNDAF 2010-2015, Dushanbe, 2009, p. 20, available at <http://www.undg.org/unct.cfm?module=CoordinationProfile&page=Country&CountryID=TAJ&fuseaction=UN%20Country%20Coordination%20Profile%20for%20Tajikistan>, see also CRC/C/TJK/CO/2, para. 16.
- <sup>172</sup> E/C.12/TJK/CO/1, para. 13.
- <sup>173</sup> UNCT submission to the UPR on Tajikistan, 2011, p. 7.
- <sup>174</sup> CAT/C/TJK/CO/1, para. 25.
- <sup>175</sup> <http://www2.ohchr.org/english/bodies/cat/docs/followup/Tajikistanreminderfollowup.pdf>
- <sup>176</sup> CCPR/CO/84/TJK, para. 28.
- <sup>177</sup> CCPR/C/TJK/CO/4/Add.1.
- <sup>178</sup> CCPR/C/97/D/1519/2006, CCPR/C/97/D/1401/2005, CCPR/C/89/D/1348/2005, CCPR/C/95/D/1276/2004, CCPR/C/94/D/1263-1264/2004, CCPR/C/92/D/1209,1231/2003&1241/2004, CCPR/C/86/D/1208/2003, CCPR/C/95/D/1200/2003, CCPR/C/95/D/1195/2003, CCPR/C/81/D/1117/2002, CCPR/C/89/D/1108&1121/2002, CCPR/C/79/D/1096/2002, CCPR/C/86/D/1044/2002, CCPR/C/85/D/1042/2001, CCPR/C/85/D/985/2001, CCPR/C/83/D/973/2001, CCPR/C/81/D/964/2001.
- <sup>179</sup> A/64/40 (Vol. I), pp. 157–158.
-