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Summary record of the 46th meeting

Held at the Palais Wilson, Geneva, on Wednesday, 5 October 2022, at 3 p.m.

Chair: Mr. Abdel-Moneim

Contents

Consideration of reports (*continued*)

(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant (*continued*)

Fourth periodic report of Tajikistan (continued)

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The meeting was called to order at 3.05 p.m.

Consideration of reports *(continued)*

(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant *(continued)*

Fourth periodic report of Tajikistan (continued) (E/C.12/TJK.4; E/C.12/TJK/Q/4; E/C.12/TJK/RQ/4)

1. *At the invitation of the Chair, the delegation of Tajikistan joined the meeting.*
2. **A representative of Tajikistan**, resuming his delegation's replies to the questions raised at the previous meeting, said that under the Trade Unions Act, which had been amended on 2 January 2020, working conditions were monitored by labour inspectors who exercised a public oversight role on behalf of trade unions.
3. **A representative of Tajikistan** said that the Act's provisions allowed trade unions to, inter alia, oversee employers' compliance with labour law, issue mandatory compliance orders and opinions, investigate industrial accidents and occupational diseases, and make suggestions to employers and government agencies on identifying shortcomings in the area of labour standards. Despite the challenges posed by the coronavirus disease (COVID-19) pandemic, 600 labour inspections had been undertaken in 2020, and compensation amounting to more than 1 million somoni had been paid to victims of workplace accidents and their families in 2021.
4. The constitutional right to housing was protected in law. Social housing units were required to measure at least 12 square metres per inhabitant, although certain groups, such as pregnant women, could access more spacious accommodation. Persons with disabilities and older adults were granted more accessible housing. Around 8 million square metres of housing, along with schools and hospitals, had been constructed since the country had gained independence.
5. **A representative of Tajikistan** said that the conversion of children's homes into family support centres formed part of efforts to establish an alternative care system for children and had enabled 147 children to return to their biological families. Women and children who had returned from conflict zones and resided in temporary accommodation under the guardianship of the State received adequate State funding and all necessary medical, psychological and social support. The School Meals Sustainable Development Strategy for the period up to 2027 aimed to ensure food security and improve health, school enrolment and social protection. The coverage of a programme intended to improve nutrition in secondary schools had more than doubled since 2014, and over the previous 20 years around half a million secondary school pupils had received balanced meals thanks to a programme involving 50 schools.
6. Innovative measures, including new guidelines, and improvements to infrastructure had improved sanitation and infection control in inpatient and outpatient health-care facilities, including labour and delivery wards, 65 per cent of which had been refurbished. Improved outpatient services had meant that within a few months of the outbreak of the COVID-19 pandemic all COVID-19 patients had been able to receive treatment at home. Those measures had since been enhanced through a study into the continuity of medical services. The high uptake of vaccination among adults had prevented a second wave of COVID-19 infections; a fourth round of vaccination was currently under way.
7. **A representative of Tajikistan** said that the State had been one of the first in the region to ratify the Convention on the Rights of the Child and the International Labour Organization (ILO) Worst Forms of Child Labour Convention, 1999 (No. 182). Minors enjoyed special protection, including through the National Programme for the Elimination of the Worst Forms of Child Labour, and the Interdepartmental Coordinating Council for the Eradication of the Worst Forms of Child Labour coordinated public bodies' implementation of relevant recommendations and policies. A system for monitoring child labour was being piloted in selected areas and had proved effective in preventing children from falling into the worst forms of child labour, taking children engaged in child labour out of the workplace –

indeed, 900 such children had so far been detected and their parents targeted by awareness-raising activities – and affording them access to social services, education and training. A 2016 study on the labour force had found that child labour in Tajikistan was decreasing.

8. **A representative of Tajikistan** said that in 2020 funding for the health system had increased to a record 3.4 per cent of gross domestic product which, together with funding from development partners, had enabled the Government to mount an effective response to the COVID-19 pandemic.

9. **Mr. Ashuriyon** (Tajikistan) said that children returning from conflict zones received birth certificates free of charge and were enrolled in the education system.

10. **Mr. Uprimny** said that he wished to know how the sustainability of harm reduction programmes for persons who used illegal drugs was being ensured as the State assumed responsibility for their funding.

11. **Mr. Emuze** (Country Task Force) said that clarification was required as to the total cost of the pilot school feeding programme, including the percentages of funding borne by the Government and development partners, and whether mechanisms were in place for the phased introduction of the school feeding system to all regions of the State party.

12. **Ms. Shin** (Country Rapporteur) said that she would welcome information on whether specific legislation existed, or was planned, to prohibit the corporal punishment of children in homes, schools and childcare settings.

13. **Mr. Hennebel** said that it would be useful to hear the State party's position on the ratification of the ILO Maternity Protection Convention, 2000 (No. 183), the ILO Workers with Family Responsibilities Convention, 1981 (No. 156), and the Convention on Protection of Children and Cooperation in respect of Intercountry Adoption, and on accepting visits by special procedure mandate holders. He wished to know what measures had been adopted to implement a comprehensive strategy to eliminate gender stereotypes and patriarchal attitudes; to combat de facto polygamy, particularly in religious communities; to address mental health issues, including autism; and to guarantee social housing and protect against evictions.

14. **Mr. Windfuhr**, referring to the National Climate Change Adaptation Plan being developed in cooperation with the Green Climate Fund, said that he would be interested to know what key areas of greatest need the State party had identified. Did they include issues relating to health at times when summer temperatures rose extremely high? He would appreciate an update on the State party's joint project with the United Nations Development Programme on increasing climate resilience among small farmers and livestock breeders.

15. **A representative of Tajikistan** said that a special committee chaired by the Deputy Prime Minister was responsible for coordinating all activities relating to legal drugs supply and illegal drugs trafficking, in cooperation with international partners. There was also a special agency to deal with the illegal narcotics trade. As to medication and narcotics required for cancer patients, for example, and patients in palliative care, the Government applied all the relevant quotas in order to ensure a continuous supply of such drugs.

16. Over the previous 10 years, maternal and infant mortality rates had been halved. In the previous year, the maternal mortality rate had fallen from 31.8 to 21.2 per 100,000 live births, while infant mortality had fallen from 14.1 to 12.2 per 1,000 live births.

17. School meals were provided to over half a million pupils. In 50 pilot schools there were kitchens that prepared meals from local produce. Standards were in place and continued to be improved, and parents and children were provided with information on diet, nutrition intake and vitamins.

18. **A representative of Tajikistan**, offering more detail to the answers given about school meal provision, drew Committee members' attention to the relevant sections of the State party's replies to item 19 on the list of issues (E/C.12/TJK/RQ/4, paras. 215 and 235–238). School meals provision had had an impact on food security in the country, which in early 2021 had been on average 61.6 per cent.

19. In 2018, the Ministry of Education and Science had set up a working group to develop guidelines to support teachers in preventing and reacting to incidents of violence against children. Schools also had children's rights commissions that organized awareness-raising and information events for children, teachers and parents. Between 2017 and 2020, the Ombudsman for Children had monitored 144 institutions; during the same period, prosecutors had initiated 49 criminal cases on related offences, 30 involving teachers and 19 parents.

20. Ministries and authorities had devised plans for awareness-raising events and training courses, as well as for individual conversations with children and parents, thereby bringing together children's guardians, members of prosecutors' offices and local authority representatives to discuss issues relating to the treatment of children and the applicable law and regulations.

21. The Dushanbe Women's Awareness Centre, local government authorities and law-enforcement bodies had organized informal awareness-raising events and distributed education materials. A project to prevent violence against children and teenagers, involving 90 families and schoolteachers in three pilot neighbourhoods, had been launched by the United Nations Children's Fund in Tajikistan, in partnership with local organizations and with support from local authorities.

22. **Mr. Ashuriyon** (Tajikistan), in reply to the question regarding the criminalization of corporal punishment of children, said that the issue was being considered alongside the question of domestic violence in the context of the revision of the Criminal Code. On the question of religious marriage, he said that only duly registered marriages were recognized; polygamy was a punishable offence and also prohibited under the Constitution.

23. **A representative of Tajikistan**, replying to Mr. Windfuhr's questions about the State's cooperation with the Green Climate Fund, drew Committee members' attention to the State party's replies to item 6 on the list of issues (E/C.12/TJK/RQ/4, para. 50). In respect of water problems, Tajikistan had taken several initiatives to seek solutions and was an active participant in conferences on that issue.

24. **A representative of Tajikistan** said that, at the Government's invitation, the special rapporteurs on health and on the independence of judges and lawyers had both visited the country. Invitations had also been extended for 2023 to the special rapporteurs on freedom of religion or belief and on the situation of human rights defenders.

25. Social housing was gradually being developed at the national and the local level. In addition, banks were granting credit for mortgages as another means of solving the housing problem.

26. **A representative of Tajikistan** said that support for children with autism was provided under the Social Services Development Framework. A network of institutions provided continuous assistance in the areas of medical treatment and care, and the Government ensured that families were provided with additional housing space and services to enable children with autism to remain with the family.

27. **Mr. Ashuriyon** (Tajikistan) said that the President of Tajikistan had supported four recent United Nations initiatives on water, namely the International Year of Freshwater (2003), the International Decade for Action, "Water for Life" (2005–2015), the International Year of Water Cooperation (2013) and the International Decade for Action, "Water for Sustainable Development" (2018–2028). A further proposal was being considered, namely to declare 2025 the year of glacier conservation. In addition, Tajikistan would be co-hosting the United Nations Conference on the Midterm Comprehensive Review of the Implementation of the Objectives of the International Decade for Action, "Water for Sustainable Development", 2018–2028 in New York in March 2023.

28. **A representative of Tajikistan** said that new legislation and regulations on the supply of drinking water had been adopted in recent years and working groups had been set up in various regions. Between 2016 and 2019, large-scale water filtering operations had taken place, technical facilities had been installed and repairs made to more than 250 sanitation plants. In addition, more than 1,000 hectares of land had been brought under cultivation, with steps taken to increase soil fertility and harvest yields; more efficient

technologies were being introduced; 650 kilometres of older water pipes were being replaced; and more than 160,000 water sensors were being installed to measure consumption.

29. Overall access to drinking water was currently 64.2 per cent (95 per cent in cities, 55.6 per cent in rural areas). In remote areas, access to water and sanitation was less widespread.

30. **Mr. Shen** (Country Task Force) said that he would like to know what steps the State party intended to take to improve school infrastructure, provide the necessary equipment and ensure that teachers were adequately trained. He would appreciate receiving details of the dropout rate in both compulsory education and upper secondary schools and the proportion of students who enrolled in school but failed to complete their education.

31. Noting that, according to information received by the Committee, over 30 per cent of young people aged between 15 and 24 years fell into the category of “not in education, employment or training” and that 89 per cent of them were girls, he would be interested to learn what were the main causes of that phenomenon and why it affected young girls in particular. He would like to hear what measures had been taken to make education more compatible with the demands of the labour market and to help those young people, particularly the girls and those in the youngest part of the age group.

32. He would like to know how public preschool institutions were distributed geographically and what, in educational terms, were the main differences between them and child development centres. Were those centres financed by the central government, local authorities or communities? What measures had been taken to address the disparity between urban and rural areas with regard to preschool education? He wondered whether the State party had any plans to speed up the process of integrating all children with disabilities into general schools.

33. With regard to the right to culture, the State party had noted in its replies to the list of issues (E/C.12/TJK/RQ/4, para. 335) that foreign nationals and stateless persons had the same rights as Tajik citizens in respect of cultural activities, except in certain cases provided for by law. He wished to know what those exceptions were.

34. Despite the introduction of subsidies, only a third of families were reported to have access to the Internet. Against that backdrop, he wondered whether the State party planned to promote digitalization as a strategic priority, particularly in the areas of education and culture.

The meeting was suspended at 4.25 p.m. and resumed at 4.35 p.m.

35. **A representative of Tajikistan** said that article 41 of the Constitution and article 6 of the Education Act provided for the right of all children to education, regardless of their race, ethnicity, gender, language, religion, political beliefs or social status. Thus, children who were stateless or from migrant backgrounds or ethnic minorities were entitled to a high-quality education on an equal footing with other children. The Government covered the full cost of education for all pupils at State primary and secondary schools, and for a proportion – currently around 25 per cent – of students at higher education and vocational training institutions. A number of scholarships were available for students who wished to study at universities abroad.

36. Efforts to broaden access to education included the introduction of a university admissions quota for students from rural areas. For young persons with gaps in their schooling, the Ministry of Education and Science had launched a programme of part-time study towards a certificate of completed secondary education. The number of preschools in the country had increased from around 500 to almost 700 in the previous 20 or so years; some 60 preschools had been built in the previous two years alone.

37. The Government had introduced a number of subsidies and benefits for teachers, including free medication in the event of illness. Teachers’ salaries had increased by around 50 per cent in recent years, and bonuses were paid to teachers who worked in rural schools and special educational institutions. Moreover, teacher training bursaries were available to encourage more students to enter the profession.

38. In line with State policy on inclusive education, a number of mainstream State and private educational institutions, including preschools, were equipped to accommodate pupils

with disabilities. Accommodations made included the removal of physical barriers and the provision of sign language interpreters, communication aids and other equipment. Teachers at those institutions received specialist support and training in inclusive education.

39. **A representative of Tajikistan** said that educational institutions were funded on the basis of the number of students or pupils enrolled and the type of institution. Institutions in remote areas or with fewer students received more funding per capita than those in urban areas.

40. The total funds earmarked for teacher training were increasing year on year. The Government was also spending significant sums on improving educational infrastructure. New schools were constructed in such a way as to accommodate children with disabilities.

41. As part of the National Education Development Strategy, the Government was aiming to increase the preschool enrolment rate from 16 to 30 per cent of children aged 3 to 6 years by 2030. While private preschools were entirely financed by households and parents were required to contribute to public preschool fees, the State programme for the development of preschool education provided for tax concessions for parents who enrolled their children in such institutions. Girls made up 52 per cent of all students in public or State schools.

42. The Government had implemented a number of programmes to improve access to information and communication technologies (ICT) and the Internet in schools. All schools were required to have computer laboratories for the teaching of ICT, and the ratio of computers to students was increasing. Likewise, the number of schools with Internet access continued to grow.

43. **A representative of Tajikistan** said that the Government had adopted a policy outline to promote the phased digital transformation of Tajikistan over the period up to 2040. It had also adopted a medium-term programme for the development of the digital economy until 2025 and was drafting legislation and regulations on the strengthening of ICT infrastructure and the computerization of key economic sectors. The number of Internet users in the country had risen from 3.6 million in 2021 to over 4 million currently. Some users' Internet bills were subsidized.

44. Tajikistan was taking measures to promote gender parity in education. The current gender parity indices were 0.821 for primary school, 0.942 for grades 5 to 9 (11–16 years) and 0.845 for grades 10 and 11 (16–18 years).

45. **Ms. Shin** said that it would be helpful to know how many schools and homes had been destroyed over the preceding five years because of clashes along the country's border with Kyrgyzstan and how many households had been affected. She wished to learn about any measures planned to rebuild the affected structures and provide humanitarian aid, particularly to children, women and older adults in need.

46. **Ms. Saran** said that she wished to find out whether the State party was taking any steps to reintegrate children returning from areas of conflict, such as those in Afghanistan and the Syrian Arab Republic, into the education system and society in general and to prevent radicalization. She wished to know what the dropout rate was among girls and whether any measures were being taken, in addition to the penalties in place for parents, to encourage girls to stay in school. She would appreciate information on any support provided by the State party to artisans who had lost their livelihoods during the COVID-19 pandemic, as they were the keepers of traditional knowledge.

47. **Ms. Crăciunean-Tatu** said that she wished to know whether the State party had issued any rules, provided training for its armed forces or taken any other steps to prevent schools and universities from being used for military purposes; and whether it intended to endorse the Safe Schools Declaration. She would like to find out about any measures planned to provide support to teachers who were native speakers of and taught in minority languages and to increase the number of textbooks available in minority languages.

48. **Mr. Amarti** said that, in the light of reports of the collective refoulement of Afghan refugees, he wished to know whether the principle of non-refoulement had been enshrined in the Refugee Law and, if so, to what extent the principle was applied in practice. He would appreciate information on the programmes in place to provide support to persons with autism

and their families, the resources allocated to the programmes and the indicators used to assess their impact.

49. **Mr. Ashuriyon** (Tajikistan) said that information regarding the destruction of homes along the border with Kyrgyzstan would be provided in writing. Reconstruction efforts were already under way and schools were operating normally. The Government engaged in outreach work throughout the country to counter radicalization and provided psychological assistance to children and women who had returned from conflict areas. Teachers, psychologists, doctors and other experts were involved in those efforts. The Government engaged in awareness-raising throughout the country to increase school attendance rates for girls and was taking steps to increase the number of textbooks available in minority languages. Only individuals who had broken the law before 15 August 2021 had been deported. Refugees who had broken no laws were not deported.

50. **A representative of Tajikistan** said that approximately 9 per cent of children in the country under 18 years of age had autism. The Government had launched a number of interministerial initiatives to ensure that children with autism between 14 and 18 years of age could learn graphic design, cooking and other skills and continued to study the issue. The Government had a stock of approximately 5 million doses of COVID-19 vaccines, which would be sufficient to undertake a fourth round of vaccination. Approximately 19 million doses had already been administered.

51. **A representative of Tajikistan** said that, with respect to support provided to the private sector during the COVID-19 pandemic, she wished to draw the Committee members' attention to the State party's replies to item 5 on the list of issues (E/C.12/TJK/RQ/4, paras. 37–41).

52. **Ms. Shin** said that she wished to thank the delegation for the constructive dialogue that they had had with the Committee. The Committee welcomed the State party's plans to ratify the Convention on the Rights of Persons with Disabilities in 2023; to include all groups of people facing discrimination, including lesbian, gay, bisexual, transgender and intersex persons and ex-convicts, within the scope of the State party's new anti-discrimination legislation; and to work with civil society in implementing the State party's obligations under international human rights treaties. The Committee hoped that the State party would also soon ratify the Optional Protocol to the Covenant and, in connection with its implementation of its new anti-discrimination law, put in place a strong enforcement mechanism, provide effective remedies to victims and engage in awareness-raising.

53. The Committee also hoped that the State party would step up its efforts to address the challenges facing it, including its high level of foreign debt, large informal sector, insufficient social protection and high level of corruption. She wished to urge the State party to investigate the cases of refoulement of Afghan refugees, ensure that refugees were not sent back to their country of origin when they had violated no law and, in that regard, work closely with the Office of the United Nations High Commissioner for Refugees.

54. An independent judiciary was essential for the protection of human rights, and the proper functioning of the country's national human rights institution depended on its full compliance with the Paris Principles. The Committee sincerely hoped that the State party would ensure that any human rights defenders facing trial had access to a lawyer and that the proceedings against them were transparent.

55. **Mr. Ashuriyon** (Tajikistan) said that his country had made a number of advances in fulfilment of its human rights obligations in addition to those already mentioned during the dialogue. For example, the Government had prepared a national human rights strategy for the period through 2030 that reflected the recommendations made by United Nations human rights bodies to Tajikistan between 2010 and 2020, took account of the Sustainable Development Goals and provided for the development of a unified, intersectoral approach to the promotion and protection of human rights. Over 20 national action plans had been adopted since 2012 to implement recommendations received from United Nations human rights bodies. Those that the Committee would issue would be carefully considered in consultation with representatives of State bodies and civil society. In order to better protect human rights, his Government would continue to engage in a constructive dialogue with the

Committee, the Office of the United Nations High Commissioner for Human Rights and other treaty bodies.

56. **The Chair** said that he was grateful to the delegation for all the facts and figures that it had provided during the dialogue, as such data helped the Committee in its task of monitoring the progressive realization of the rights recognized under the Covenant.

The meeting rose at 5.45 p.m.