



# Convention on the Rights of the Child

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## Committee on the Rights of the Child Seventy-sixth session

### Summary record of the 2228th meeting

Held at the Palais Wilson, Geneva, on Thursday, 14 September 2017, at 10 a.m.

*Chair:* Ms. Winter

## Contents

### Consideration of reports of States parties (*continued*)

*Initial report of Tajikistan on the implementation of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (continued)*

*Initial report of Tajikistan on the implementation of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (continued)*

*Combined third to fifth periodic reports of Tajikistan on the implementation of the Convention on the Rights of the Child (continued)*

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*The meeting was called to order at 10 a.m.*

**Consideration of reports of States parties** *(continued)*

*Initial report of Tajikistan on the implementation of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (continued) (CRC/C/OPAC/TJK/1; CRC/C/OPAC/TJK/Q/1 and Add.1)*

*Initial report of Tajikistan on the implementation of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (continued) (CRC/C/OPSC/TJK/1; CRC/C/OPSC/TJK/Q/1 and Add.1)*

*Combined third to fifth periodic reports of Tajikistan on the implementation of the Convention on the Rights of the Child (continued) (CRC/C/TJK/3-5; CRC/C/TJK/Q/3-5 and Add.1)*

1. *At the invitation of the Chair, the delegation of Tajikistan took places at the Committee table.*
2. **The Chair** invited the delegation of Tajikistan to reply to the questions on the optional protocols put by Committee members at the previous meeting.
3. **Mr. Shohmurod** (Tajikistan) said that the Act on Trafficking in Persons and Assistance to Victims covered not only victims of trafficking but also homeless children and children in street situations. There had been 40 cases of trafficking in the past five years, involving children aged between 9 and 14. There had been 33 cases of rape or sexual abuse of minors in the past three years, and the perpetrators had been brought to justice. In the past five years, more than 2,600 offences had been committed by minors and more than 3,010 children had been victims of offences. All the offences in question had been committed by Tajik citizens. No cases had been recorded of the removal of minors beyond the State borders for the purpose of subsequent trafficking. The Act on State Protection of Parties to Criminal Proceedings covered child victims of trafficking and provided for full confidentiality and security in dealing with their cases.
4. Men aged between 18 and 27 were required to do military service unless they were exempt. It was also possible to volunteer for military service. In addition, preliminary military training was a subject at all general education establishments in the tenth and eleventh years; girls received first aid training. The training programmes were drawn up by the Ministry of Defence. Young people could continue their military training at the Military College, which currently had 3,740 students. Tajik minors were involved in conflict areas; in the past three years 79 individuals had returned from conflict zones, 41 of them minors.
5. **Ms. Ayoubi Idrissi** (Country Rapporteur for the Optional Protocol on the involvement of children in armed conflict) asked what was done to support children returning from conflict zones apart from placing them in school again. She would be interested to know what measures were taken to prevent recruitment and address the underlying reasons for them leaving the country in that way; the main problem appeared to be poverty.
6. **Ms. Aldoseri** (Country Rapporteur for the Optional Protocol on the involvement of children in armed conflict) said that, according to paragraph 31 of the State party's report (CRC/C/OPAC/TJK/1) boys could be admitted to the military college at the age of 17 or in the year in which they would turn 17, i.e., at the age of 16. If the training lasted one year, did that mean they could be involved in proper military activity at the age of 17?
7. **Mr. Mirboboev** (Tajikistan) said that the military college took students on completion of general secondary education namely, after the eleventh year of school. In rare cases, a child who had started school at the age of 6 could graduate and continue on to further education at the age of 16. There was also a military lycée, which took students after their ninth year of schooling, and from which they could go on to military college or back into academic studies.

8. **Ms. Aldoseri** asked whether, if a child left school early, he could go on to military college at the age of 16, complete military training after a year and take part in military activities while still 17.
9. **Mr. Shohmurod** (Tajikistan) said that it was no longer the case that children started school at the age of 6 years. If a boy finished school at the age of 16, he could attend the military lycée but he could not be conscripted into military service until he was 18.
10. **Mr. Madi** said that he too would appreciate clarification of the information given in paragraph 31 of the report, which referred to admission of cadets to the military college, not the lycée, “in the year in which they will become 17”. It also stated that “cadets may participate in hostilities after they have completed their first year of studies”. For a cadet who entered at the age of 16, that would mean he could engage in hostilities at the age of 17. He wondered why it was necessary to allow admission in the year a person turned 17 rather than simply after the age of 17. However, even cadets of the age of 17 were, according to paragraph 31 of the report, “on active military service and ... subject to the established requirements for conscripts”, which was not in accordance with the Optional Protocol. He suggested that the State party might wish to revisit the relevant legislation.
11. **Ms. Khazova** said that the situation seemed to be contradictory since a child could not be conscripted into military service until 18 but could enter the military college. Many parents were anxious for their sons to enter higher education as soon as possible in order to avoid being conscripted at the age of 18 for one or two years of military service. Military college was a way into higher education for those who completed their secondary schooling before the age of 18.
12. **The Chair** said that the question was quite simple: was a person under the age of 18 permitted to handle weapons and take part in armed conflict?
13. **Mr. Shohmurod** (Tajikistan) said that it was true that the situation seemed somewhat contradictory. However, the law on conscription gave 18 as the minimum age for military service.
14. **Mr. Alamshozoda** (Tajikistan) said that, as part of the Government’s efforts to implement the Optional Protocol on the sale of children, child prostitution and child pornography, the Criminal Code had been amended to address the offences of possession of pornographic material using images of children and the use of children in the production of pornographic material. There had been two cases involving child pornography in 2015 and one in 2016.
15. Investigations into offences against minors in recent years had revealed 105 cases of sexual abuse of children under the age of 16 in 2016, 110 cases in 2015 and 140 cases in 2014. As to the marrying of girls before the legal age of marriage, there had been 23 cases in 2016, 53 in 2015 and 63 in 2014.
16. A centre to counter human trafficking had been set up with funding from the Embassy of the United States of America. In addition, the Ministry of Internal Affairs had set up a special department to deal with organized crime. In 2014, 9 cases had been brought under the relevant provisions of the Criminal Code against 14 people for trafficking, involving 9 child victims; in 2015, 28 people had been charged in cases involving 14 child victims; in 2016, 14 people had been charged in cases involving 7 children; and in the first six months of 2017, 25 people had been charged in cases involving 10 children. All those charged had been convicted and sentenced in accordance with the law. Since 2014, around 30 child victims of trafficking had been returned from other countries, including the United Arab Emirates and Turkey. Analysis showed that such offences were usually committed by unmarried or separated women, in an attempt to conceal from other family members an unwanted pregnancy or a child born out of wedlock. There had been no cases of trafficking in children for the purpose of trade in organs or tissues.
17. Once victims were identified they were offered legal assistance during the preliminary enquiries and invited to cooperate in identifying the perpetrators. Confidentiality and safety were guaranteed under the Act on State Protection of Parties to Criminal Proceedings. Every effort was made to reintegrate children in society and enable them to continue with their schooling and higher education. Under a memorandum of

understanding signed with the International Organization for Migration (IOM) all victims of trafficking who so desired could join a rehabilitation programme run by the IOM Mission in Tajikistan.

18. The Government was making every effort to increase awareness among the public at large of the legislation on underage marriage and to counter the practice of “nikah” marriage, 522 cases of which had been detected in the past year. Efforts were also being made to raise awareness among parents of the dangers of trafficking, notably by sending specialists to give talks at schools.

19. Law enforcement agencies were making efforts to prevent and eliminate extremist and terrorist activity and address the underlying causes. In that connection, the Government did all it could to repatriate its nationals from conflict zones. In 2015, 17 families had been returned, comprising 12 men, 17 women, 7 girls and 16 boys; in 2017, 2 families had been returned, comprising 5 men, 4 women, 5 girls and 4 boys. It was also known that there were some 250 Tajik families in conflict zones including in Iraq and Syria.

20. **Mr. Karimzoda** (Tajikistan) said that military training was provided in various types of educational establishments in compliance with the General Military Duty and Military Service Act. The minimum age for conscription was 18; there were no exceptions to that rule. However, in order to prepare for military service, children aged 15 or 16 — depending on the age at which they had started their schooling — could enrol at a military lycée on a voluntary basis, where they received military instruction. From the age of 17 or 18, it was also possible to enter a military college, including as a means of avoiding military conscription — although places were limited. The Ministry of Defence ran both a military college and a military lycée. While students at both institutions learned about weapons, those at the lycée did not actually use them.

21. In accordance with the Human Rights Education Programme, 2013-2020, courses were organized in all educational establishments on human rights and relevant national and international law. Courses were run in a number of settings, including secondary schools, universities and other public institutions. In particular, regular training courses were provided for military personnel, including on the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. Priority was accorded to courses for law enforcement and judicial personnel on international human rights standards for the treatment of minors in judicial proceedings; appropriate training modules were being developed to that end.

22. In 2016, as part of measures to raise awareness of the country’s international obligations in the field of human rights, the Government had launched a website containing information on all relevant international instruments, including the Convention on the Rights of the Child and its Optional Protocols, as well as on the Government’s efforts to implement the recommendations relating thereto. The website was available in Russian, English and Tajik. Information on the international obligations of Tajikistan was also available on the websites of the Office of the Commissioner for Human Rights and the Ministry of Foreign Affairs.

23. Tajikistan had extraterritorial jurisdiction over offences committed on ships or aircraft if they bore the country’s flag, or on any military vessel or aircraft of Tajikistan, regardless of its location, where the perpetrators were liable to penalties under article 14 the Criminal Code. Likewise, offences committed on foreign soil by citizens of Tajikistan or stateless persons living in the country were liable to penalties under article 15 of the Criminal Code of Tajikistan, as long as the acts committed constituted offences in the country in question and penalties had not already been applied there.

24. Persons who had committed offences could be extradited pursuant to the relevant multilateral treaties, such as the Minsk Convention on Legal Assistance and Legal Relations in Civil, Family and Criminal Matters or, in the case of States such as Afghanistan, the People’s Republic of China, or the Islamic Republic of Pakistan, pursuant to the relevant bilateral treaties. The optional protocols to the Convention could not provide a legal basis for extradition in cases where bilateral agreements existed, as the Optional Protocols did not establish a deadline for the extradition of perpetrators or the central authority for extradition matters.

25. In recent years nearly 500 persons had been injured and over 300 persons killed by anti-personnel mines and explosive remnants of war, more than 30 per cent of them children. In 2017, three children had been injured and one child killed by anti-personnel mines. Victims were entitled to residential medical care, wheelchairs, prostheses and an allowance of 196 somoni. Child victims in particular had regular access to rehabilitation, psychological support and other services. To raise awareness of the dangers of anti-personnel mines and explosive remnants of war and to prevent injuries, meetings and seminars had been organized in schools in the proximity of mined areas, and information leaflets had been distributed. In 2017, more than 25,000 students had been involved in awareness-raising activities.

26. **Mr. Safaralizoda** (Tajikistan) said that various key ministries and government bodies concerned by children's rights were involved in coordinating the implementation of the Convention and its optional protocols, the lead agency being the Office of the Commissioner for Children's Rights. Other government bodies involved included a commission on the implementation of international humanitarian law, a commission on compliance with international human rights obligations, an interdepartmental commission to combat trafficking in persons and a specialized division on children's rights within the Executive Office of the President.

27. The Government worked to promote and strengthen cooperation with all stakeholders, in particular representatives of civil society, with whom it organized regular consultations, inter alia, on the recommendations of United Nations human rights treaty bodies and relevant legislation. Representatives of civil society also contributed to the drafting of national reports for international organizations. While children themselves were not involved in that process, civil society associations such as the Tajik Centre of Social and Legal Support of Women and Teenagers (FEMIDA) were. There were currently around 10 NGOs specialized in children's rights active in Tajikistan.

28. In order to ensure that national courts and law enforcement agencies fully complied with international instruments ratified by Tajikistan, in 2013, the Plenum of the Supreme Court had issued a ruling on the need for courts to comply with those instruments and to invoke them directly in cases in all areas of law. Thus far the provisions of the optional protocols had not been invoked directly by the courts; however, they had been referred to in connection with the interpretation of the law.

29. **Mr. Mansur** (Tajikistan) said that, in accordance with the Act on Parental Responsibility for the Education and Upbringing of Children, parents were obliged to provide appropriate care for their children and sanctions were imposed on those who failed in their parental duties under the Code of Administrative Offences. In the light of reports of offences referred to the courts by law enforcement agencies, sanctions had been imposed in 5,295 cases in 2016, and in 6,766 cases in 2017.

30. **Mr. Shohmurod** (Tajikistan) said that sexting was not a specific criminal offence in Tajikistan where it did not pose a problem; however, the Government might well follow up on that matter. With regard to training to identify potential victims of human trafficking, training for State border officials was provided in cooperation with the Organization for Security and Cooperation in Europe (OSCE) to identify and prevent human trafficking and illegal immigration. More than 600 Tajik officials had attended OSCE training courses and 400 officials had attended similar courses organized in cooperation with IOM. Subjects covered included how to identify adults and children in high-risk groups and potential victims of trafficking as well as measures to prevent trafficking, especially of children.

31. Tajik legislation prohibited international adoption, with the exception of certain cases provided for under international instruments. Since the best interests of the child should always be taken into account and difficulties had been encountered in following up on Tajik children adopted abroad in the past, it had been decided that adoption should be allowed only on the basis of proper agreements. In that connection, it should be noted that the provision on intercountry adoption in article 21 (b) of the Convention was not binding on States. Tajikistan was prepared to consider ratifying the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption and to cooperate with other States towards the conclusion of relevant bilateral agreements.

32. **Ms. Skelton** (Country Rapporteur for the Optional Protocol on the sale of children, child prostitution and child pornography) said that some of her questions relating to child prostitution, pornography and trafficking had not been answered. She would welcome information on the treatment of child prostitutes, including on whether they could be arrested, and if so, with what consequences. She asked whether sexting between adolescents was a problem in Tajikistan, what measures the Government was taking to tackle it, and whether children were treated differently to adult offenders in such situations. With regard to the prevention of juvenile crime, she wished to know in what way the State's crack-down on status offences, such as electronic gaming during school hours, constituted a preventive measure and what approach the Government took to prevention in general.

33. She encouraged the State party to continue its approach to intercountry adoption through international cooperation measures, in order to ensure the safety of the children involved. With regard to the protection of victims' rights, further details would be appreciated on specific, child-friendly measures, such as opportunities for children to testify via an intermediary or the use of closed circuit television.

34. While it was clear that the Government had invested in measures to counter trafficking in children, with assistance from the Embassy of the United States, the prosecution rate for trafficking offences remained low. Perhaps the resources invested in trafficking only could be leveraged to assist other groups of exploited children, including victims of child labour or prostitution.

35. **Ms. Ayoubi Idrissi** (Country Rapporteur) said that she wished to know whether the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography had ever been invoked in Tajik courts. She asked whether the State party was considering criminalizing the sale of children and the possession of pornographic images of children. She also asked whether the State party had a national plan of action implement the provisions of the Optional Protocol.

36. With regard to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, she asked whether the State party was considering prohibiting the recruitment of children under the age of 15 for participation in any type of hostilities and classifying that offence as a war crime.

37. **Mr. Madi** said that each State party should establish, in its domestic legislation, extraterritorial jurisdiction over offences under international instruments. It was necessary to ensure, for example, that Tajik courts could try Tajik nationals, or persons habitually resident in Tajikistan, for offences they committed abroad, and hear cases involving crimes committed abroad where the victims were Tajik nationals. The State party might wish to consider establishing extraterritorial jurisdiction for offences covered by the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, in line with article 4 thereof, in order to prevent impunity for such offences.

38. **Ms. Aho Assouma** said that certain problems appeared to exist with the birth registration system in Tajikistan. She asked what measures the Government was taking to ensure that birth certificates were issued to children living in remote areas.

39. It would be useful to know whether the difficulties mentioned by the State party relating to its immunization programmes were linked to vaccination certificates. She asked what steps were being taken to deal with polio cases in border areas to ensure that the disease did not spread in Tajikistan. In that connection, she wondered why safe injection equipment was available to drug users but in short supply for vaccinations. She recognized that the Government had launched training programmes for health-care personnel in the field of immunization, but wished to know what was being done, in the meantime, to ensure that all children in Tajikistan were vaccinated.

40. **Mr. Mirboboev** (Tajikistan) said that reforms to improve the quality of education in Tajikistan had included measures to update the curriculum and teaching materials, with a focus on certain core subjects such as Russian, English and Maths, and the addition of new subjects including legal studies and history of religion. The reforms had produced positive

results and that trend continued. The Government had launched a national education development strategy in 2016, and established a policy framework on a competency-based approach to education that should be fully implemented by 2020. Furthermore, measures had been taken to upgrade the teaching skills and qualifications of staff. A new programme was currently awaiting adoption under which all teachers in the general education system would have to undertake professional development courses every three years.

41. The Government had adopted numerous measures to improve the quality of education, including through the introduction of a competency-based approach in primary schools, new information technology tools and updated textbooks. Additional teachers had also been recruited and incentives such as salary increases and favourable loan conditions had been made available to ensure equal coverage of teaching staff across the country, including in remote and mountainous areas. The availability of textbooks had also been increased in various ways.

42. Concerning access to education for refugee children, special schools and quotas had been established to ensure that Afghan children were able to attend schools and continue their studies, if they so wished. The Government worked in close cooperation with the Afghan Embassy to ensure that all Afghan children of school age attended a suitable educational establishment.

43. Special educational facilities providing socio-educational measures had also been set up for adolescents in conflict with the law. Children abandoned by parents who were migrant workers abroad and children living in remote and rural areas had the same access to education as other children. In order to ensure their equal access to higher education, quotas had been introduced across a variety of disciplines and institutions.

44. **The Chair** asked what steps had been taken to ensure that refugee girls attended school and to eradicate the use of virginity tests as part of the school admissions process.

*The meeting was suspended at 11.30 a.m. and resumed at 11.55 a.m.*

45. **Mr. Shohmurod** (Tajikistan) said that all births must be registered within three months pursuant to the Act on Parental Responsibility for the Education and Upbringing of Children. While there were no fees involved in registering a birth, families living in remote areas were often deterred by the travel costs associated with the process and faced difficulties in accessing registration centres, particularly in the winter months. The Government had been looking into those issues in order to find effective and workable solutions.

46. As to school medical checks, it was incorrect to state that girls had to undergo virginity tests before starting school. Virginity testing was not practised in Tajikistan and was not a legal requirement for school admission.

47. There had been no reported cases of the online distribution of pornographic material involving children, although it was classified as an offence. Sexting and cybercrime were not yet classified as offences; however, units had been set up to deal with such matters and a review of domestic legislation might be undertaken. As for the legal approach taken to child prostitutes, minors under the age of 16 who were involved in prostitution were not subject to prosecution and were offered appropriate support and assistance where required; due account was taken of their circumstances, such as poverty.

48. **Ms. Hasanzoda** (Tajikistan) said that the adoption of various poverty reduction strategies and programmes had dramatically reduced the rates of poverty and extreme poverty. The Government remained committed to promoting national energy self-sufficiency and achieving food security for the entire Tajik population. As part of a strategy to meet the Sustainable Development Goals, efforts were also under way to eliminate extreme poverty by 2030.

49. In regard to child labour, the number of children employed under the age of 14 had decreased significantly in recent years, but there remained great disparity between the number of minors working in rural areas compared to urban areas. Most children in the labour market were boys aged between 15 and 17 years and they worked in the agricultural sector, often alongside their families, or on family farms. Only a very small percentage

worked in sectors that involved harmful or dangerous work. Very few complaints had been received from children concerning their working conditions and their work did not seem to have a negative impact on their level of education. One of the priorities of the State employment services was securing the employment of minors aged between 15 and 17, especially those without parental care and registered with the law enforcement agencies. The number of persons in that age group applying for work had decreased in recent years. The State employment services also organized appropriate training courses for such persons.

50. **Ms. Umarzoda** (Tajikistan) said that, as part of government efforts to address problems concerning diagnostic laboratories, various new laboratories had been inaugurated and budgetary allocations had been established to make annual improvements to the corresponding infrastructure. Branches of the national immunology centre existed throughout the country and approximately 25 per cent of immunization infrastructure needs were publicly funded; the remaining funding came from development partners. It was hoped that funding for the national immunization programme would increase.

51. Services for drug users, including treatment and rehabilitation programmes, were being increased. There were 83 cases of HIV/AIDS for every 100,000 residents and methadone therapy was being used to stop the spread of the virus among intravenous drug users. There were fewer drug addicts among the young and women than there were among older people, which indicated that the situation in the country was stabilizing.

52. Tajikistan had homes that provided social and medical assistance for children from a variety of backgrounds, including orphans and children who came from families with limited economic resources. A working group from the Ministry of Health and Social Protection had drafted a plan whereby those children's homes would be converted into family and child support centres; the conversion would enable improvements in a number of areas, including care for children with disabilities and aid for vulnerable families and single mothers. The Government sought to deinstitutionalize the children staying at children's homes through measures such as training for foster families and outreach to mothers to ensure that they continued the education of their children.

53. The Government, together with NGOs and the Commission on the Rights of the Child in Dushanbe, had launched a pilot project in which children aged 2 to 4 years were placed in foster homes. Teachers were part of the project, and the children's progress was being monitored. Regulations to govern foster-home placement and care were being developed.

54. **Ms. Sandberg** said that, since it seemed that children were often unjustifiably institutionalized, the Committee was happy to hear that the State party was working to take them out of institutions. However, Tajikistan had ranked 151 on the Corruption Perceptions Index in 2016. In the light of that alarming situation, she wished to know what measures the State party was taking to combat corruption.

55. **Ms. Khazova**, referring to a question she had asked at a previous meeting, said that she wished to know who had the authority to decide whether a child should be taken away from his or her family. Was it an administrative decision or was a court involved? Was it a decision of the guardianship or tutorship authorities?

56. **Mr. Shohmurod** (Tajikistan) said that the Government had signed a number of agreements and established a national strategy, in effect until 2030, to fight corruption. The situation was continuously monitored and a summary of the results of anti-corruption measures was produced monthly. All draft legislation had to be submitted to the national anti-corruption agency for consideration. Children were removed from their homes in the light of judicial decisions.

57. **Mr. Karimzoda** (Tajikistan) said that the provisions of article 4 (1) of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography were fully taken into account in domestic legislation. Pursuant to article 4 (2) (a) of the Optional Protocol, Tajik nationals who committed an offence abroad were liable to prosecution in Tajikistan. As to article 4 (2) (b), however, Tajik legislation contained certain nuances: it protected the interests of Tajik nationals only when they were the victims of serious offences.

58. The removal of children from their families could take place under administrative or judicial procedures. For example, when the life or health of a child was allegedly in danger, the guardianship and tutorship authorities were allowed to remove the child from his or her family, without any judicial decision; the case would be referred to a court at a later date. When a child had been placed in institutional care, it was the Commission on the Rights of the Child that had decision-making power. Broadly speaking, Tajik legislation provided for protection of the best interests of the child. The Government gave priority to those interests, which were referred to in relevant legislation and decision-making processes.

59. Under the Family Code, a child was free to express his or her opinion in general, regardless of the issue in question, or as part of court proceedings. It was mandatory to take the views of children into account as of the age of 10 years, unless those views were deemed to be against their best interests. Various authorities and bodies as well as parents were responsible for ensuring that children were in a position to convey their views. Once sufficiently mature, children had the right to make their opinion heard regarding family decisions affecting them. The law did not stipulate the age at which children acquired that right; however, the legal weight given to their views varied according to their age. Nevertheless certain decisions could not be taken regarding children aged over 10 years, such as a change of surname or their adoption, without their agreement.

60. The courts had jurisdiction to consider disputes concerning children's upbringing. The best interests of the child had to be taken into account. In certain cases, the tutorship and guardianship authorities were called upon to assess the situation based on which decisions were taken. Under the Family Code, the children concerned were allowed to defend their rights and interests themselves, if they so wished, and to address the tutorship and guardianship authorities directly regardless of their age.

61. **Ms. Khazova** said that she would welcome clarification as to what happened when, subsequent to a decision from the Commission on the Rights of the Child, a child was removed from the family home and placed elsewhere. She wondered whether the child was placed in a foster home or housed in a different institutional facility until a court decision was issued. She also wished to know how children's rights were defended in such cases.

62. **Mr. Shohmurod** (Tajikistan) said that there was no specific mechanism to deal with the situation described by Ms. Khazova. A child could be removed from the family home in his or her best interests based on a judicial decision that was subject to review by the procuratorial authorities. However, the foster home system was quite a recent development and as such was not fully operative yet. For that reason, the guardianship and tutorship services were being restructured in line with legislation.

63. The Criminal Code contained two separate articles covering trafficking in persons. Although the Code included definitions related to trafficking, it did not make a distinction for minors. In addition, possession of pornographic material was a criminal offence. Although there was no national plan in respect of the Optional Protocols, obligations arising from them were considered together with those stemming from the Convention.

64. **Mr. Mirboboev** (Tajikistan) said that Afghan refugee girls attended school. Awareness-raising campaigns were conducted to promote their education and teachers worked closely with representatives from the Office of the United Nations High Commissioner for Refugees. The delegation had no information suggesting that Afghan refugee children did not attend school in Tajikistan.

65. **Mr. Shohmurod** (Tajikistan) said that the delegation had a fuller understanding of the implications of the Convention thanks to the constructive dialogue held with the Committee; that dialogue would help his country honour its commitments.

66. **Ms. Aldoseri** (Country Rapporteur for the Convention) said that she appreciated the willingness of the delegation to provide information and the readiness of the State party to revise its procedures. She encouraged the State party to look into ratifying the Optional Protocol to the Convention on the Rights of the Child on a communications procedure and the Convention on the Rights of Persons with Disabilities.

*The meeting rose at 12.50 p.m.*