



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

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**Committee on the Elimination of Discrimination  
against Women**

**Information received from Tajikistan on follow-up to the  
concluding observations on its sixth periodic report\***

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\* The present document is being issued without formal editing.



## Paragraph 26 (a)

1. Covering the period 2017–2020 and approved by a presidential order of 7 June 2017, the national action plan for the implementation of the recommendations made by the States members of the Human Rights Council during the universal periodic review (second cycle) encompasses a broad programme of action for the protection of women, children and other family members from domestic violence and the prevention of domestic violence, including improving criminal law through the criminalization of domestic violence as a separate offence, adopting measures to strengthen gender-related policies and protect the rights of women, mobilizing efforts to ensure suitable working conditions for women and taking steps to prevent early marriage. The criminalization of domestic violence as a separate offence is currently under review.

2. The Criminal Code of Tajikistan criminalizes offences involving violence against women and children, which constitute crimes against:

- Life and health: article 104 (Murder); article 109 (Inducement to suicide); article 110 (Intentional infliction of serious bodily harm); article 111 (Intentional infliction of moderate bodily harm); article 116 (Battery); article 117 (Torture); article 120 (Threat of murder or infliction of serious bodily harm); article 124 (Forcing a woman to have an abortion);
- The freedom, honour and dignity of a person: article 130 (Kidnapping); article 131 (Unlawful deprivation of liberty); article 130-1 (Trafficking in persons); article 134 (Coercion);
- Sexual freedom or sexual inviolability: article 138 (Rape); article 139 (Sexual assault); article 140 (Sexual coercion); article 141 (Sexual intercourse and other acts of a sexual nature with a person under 16 years of age); article 142 (Sexual abuse);
- Public order and morals: article 238 (Recruitment for prostitution); article 239 (Establishing or maintaining premises for prostitution, procurement or pimping).

3. When a pregnant women is murdered (article 104, paragraph 2, of the Criminal Code) or tortured (article 143.1, paragraph 2, of the Criminal Code), knowledge of the pregnancy on the part of the perpetrator constitutes an aggravating factor and entails a more severe punishment.

4. Chapter 20 of the Criminal Code criminalizes crimes against the family and minors under: article 168 (Giving away for marriage a girl who is under the minimum age of marriage); article 169 (Marriage involving a person who is under the minimum age of marriage); article 170 (Bigamy or polygamy); article 164 (Preventing children from receiving basic compulsory education); and article 177 (Wilful evasion by parents of child maintenance).

5. Under article 62 of the Criminal Code, the following are considered aggravating circumstances: the crime is committed against a woman whom the perpetrator knows to be pregnant; the crime is committed against a young child, a minor or a physically helpless person; and the crime is committed against a person who is dependent on the perpetrator.

6. The rights of victims in court are not restricted and are provided for in article 42 of the Code of Criminal Procedure of Tajikistan, and the victims or their representatives must participate in the court hearings.

7. In accordance with article 6 of the Act on State protection of participants in criminal proceedings, the judge (court) may apply one of the following security measures, or several of them simultaneously, in respect of a protected person: close protection and home and property protection; issuance of special equipment for personal protection, communication and risk alerts; preservation of the confidentiality of information about the protected person; relocation to a temporary place of residence; replacement of identity documents; change in physical appearance; change of place of employment (service) or study; temporary shelter in a safe place.

8. Tangible steps have been taken to develop the relevant legal and regulatory framework with a view to improving policies to ensure de facto gender equality and preventing all forms of violence against women and girls. In 2017, a working group was established to improve gender-related laws. In close cooperation with international development partners, civil society and members of From Equality De Jure to Equality De Facto, a coalition of non-governmental organizations for the promotion of gender equality and the rights of women, the working group has prepared recommendations on improving gender-related laws, including draft laws on amendments and additions to the Act on State guarantees of equal rights for men and women and equal opportunities in the exercise of such rights and the Act on the prevention of domestic violence, which are currently under review.

9. The Ministry of Justice operates a free legal aid hotline (tel.: 3040), through which, during the first six months of 2020, 64 women received legal advice on various issues, including domestic violence, abuse, divorce, non-payment of maintenance, housing for single mothers and the filing of appeals.

10. Since 2018, the Committee for Women and the Family under the Government of Tajikistan, in cooperation with the Eurasia Foundation in Tajikistan, a non-governmental organization, has been running a resource centre for gender equality and the prevention of domestic violence, which provides legal and psychological assistance to victims of domestic violence. In 2019, the centre provided psychological and legal counselling to 1,591 people (896 by telephone and 695 face-to-face) and launched a helpline (tel.: 1313). During the coronavirus disease (COVID-19) pandemic, the 1313 helpline was made available 24 hours a day, and a total of 545 people (493 women and 52 men) contacted the centre, most of whom (475 people) did so by telephone.

11. In 2019, the Commissioner for Human Rights carried out specific work to protect the rights of women and prevent domestic violence. Audits of the activities of local police officers responsible for the prevention of domestic violence in departments of the Ministry of Internal Affairs were carried out in the Shohmansur-2 district of Dushanbe and in the cities of Kulyab and Bokhtar. Relevant recommendations based on the results of the audits were submitted to the Ministry of Internal Affairs with a view to addressing the shortcomings identified.

12. The Office of the Commissioner for Human Rights received six applications regarding the prevention of domestic violence in 2019 (compared with four in 2018), which were forwarded to relevant government agencies on the basis of their areas of jurisdiction.

### **Paragraph 36 (a)**

13. The national strategy for the advancement of women for the period 2011–2020, the State programme for the prevention of domestic violence for the period 2014–2023 and the family development policy framework are being implemented. A State programme for the education of capable women and girls and their selection and

placement in leadership positions for the period 2017–2022 has been adopted. Amendments have been made to regulations on the provision of benefits to women upon recruitment to the civil service and the taxation of self-employment income. National action plans have been developed and are under way for the implementation of the recommendations of the following bodies: the Human Rights Council during the universal periodic review (second cycle), for the period 2017–2020; the Committee on the Elimination of Discrimination against Women, for the period 2019–2022; the Human Rights Committee, for the period 2020–2025; and the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, for the period 2020–2024. A national action plan has also been developed for the implementation of Security Council resolutions [1325 \(2000\)](#) and [2242 \(2015\)](#) during the period 2019–2022. Other priorities include raising awareness with regard to the protection of health, addressing issues related to domestic violence and preventing discrimination against schoolchildren, students, teachers and staff in education and science. Meetings and discussions are broadcast in the media to raise awareness among women and other citizens of their rights and remedies for violations of their rights.

14. In the 2019/20 school year, 121,928 people (57,238 girls) were enrolled to continue their studies at the third level of general education (tenth grade), comprising 2,675 (1,344 girls) in the Gorno-Badakhshan autonomous region, 48,145 (22,900 girls) in Khatlon province, 35,902 (17,929 girls) in Sughd province, 11,404 (2,814 girls) in Dushanbe and 23,802 (10,251 girls) in cities and centrally administered districts. In addition, some ninth grade graduates are continuing their studies at basic, secondary or short-term vocational education institutions.

15. An enabling environment has been created for girls to receive all levels of education. In addition to presidential quotas, scholarships are available for girls from different regions of the country to receive various levels of basic, secondary and higher vocational education. Participation in teaching, medicine, information science and culture has notably been increasing in recent years as a result of the promotion of girls' education and the favourable working conditions in the country.

16. Separate subjects are included in the curricula at different levels of education to increase the economic participation of girls, and their skills and professionalism are honed during internships. The curricula of educational institutions are amended every year to ensure that the nuances of various professions are properly mastered.

17. Outreach at all levels of education will begin in January, and teachers and staff at basic and secondary vocational education institutions, especially young women, will be dispatched to promote and disseminate information through the media, brochures and other means.

18. A joint action plan of the Ministry of Education and Science and the Government's Committee for Women and the Family has been approved, and joint activities are being carried out under the plan.

19. Women and girls who have dropped out of school can take short courses lasting one or three months at general secondary schools, distance-learning schools and basic and secondary vocational education institutions. Six-month vocational training courses are offered. Gender-related topics are included in the professional development programmes of the institute for the professional development and retraining of teachers at vocational education institutions.

20. The Ministry of Education and Science allocates two hours to cover gender-related issues in the courses of the National Institute for the Professional Development and Retraining of Workers in Education and Science.

21. Opportunities are increasing for girls and young women to study subjects that they do not traditionally study, such as economics, information science, finance, trade, law and other technical subjects, at basic, secondary and higher education institutions.

22. With a view to eliminating negative stereotypes and other barriers that hinder access for women and girls to education and that influence their choice to pursue traditional fields of education, career counselling is provided for girls on pursuing non-traditional professions.

23. Under grant and credit agreements for project financing between the Government of Tajikistan and the Asian Development Bank, a project on strengthening vocational education and training is being implemented in Tajikistan:

The project on strengthening vocational education and training is the first cooperation project of the Asian Development Bank in Tajikistan for the implementation of the State programme for the reform of the basic vocational education system in Tajikistan for the period 2012–2020 and the corresponding strategy. Gender considerations are taken into account throughout the project.

Guidance on training girls and young women in non-traditional professions and ensuring their employability was developed for the project's implementation and has been widely discussed among the directors of schools.

An agreement was also signed between four parties (school administrations; female students of the Model Gender Equality Programme; employers; and the project manager), and the rights and responsibilities of the parties were determined. From the outset, the aim of the programme has been not only to provide training, but also to ensure that female graduates are able to find employment upon completion of non-traditional courses.

24. More than 20 campaigns aimed at developing a skilled workforce in areas of high demand have been published in the printed press, broadcast on radio and television, and disseminated on social media. Gender considerations and the Model Gender Equality Programme are focus areas of the project. One of the key gender-related issues addressed by the project is the limited participation of women and girls, especially in non-traditional fields of study.

25. In addition, girls and women are encouraged to pursue non-traditional professions through training courses lasting three months, one year or two years. Girls are trained in 19 professions, including as electricians, electric welders, gas and electric welders, production quality controllers, mobile phone repairers, electrical repair technicians, woodworkers, commercial farmers, tractor drivers, trolleybus drivers, plumbers and painters.

26. A total of 2,230 female students, mostly from low-income families, have benefited from the project, receiving stipends of \$30 per month and finding employment upon completion of the courses.

27. The Ministry of Labour, Migration and Employment hired the non-governmental organization Peshsaf to conduct a social media marketing campaign to highlight the importance of vocational education and encourage girls and women to pursue non-traditional professions:

The purpose of this project is to implement the national development strategy of Tajikistan for the period up to 2030 and the medium-term development programme for the period 2016–2020 (aimed at developing a highly skilled workforce), which are key tools for ensuring national ownership of the Sustainable Development Goals, in particular Goals 1 (no poverty), 5 (gender equality), 8 (decent work and economic growth) and 10 (reduced inequalities).

28. Peshsaf has published articles in newspapers and magazines and produced television and radio programmes, success stories and advertisements that contribute to the implementation of the Model Gender Equality Programme.

29. The second indicator – at least 50 per cent of graduates finding employment – has also been met, but monitoring is ongoing. The stipends of \$30 per month continue to be paid.

30. The Commissioner for Human Rights is constantly working to prevent domestic violence. The Commissioner regularly holds information sessions to raise public awareness with regard to the elimination of gender stereotypes. In 2019, such sessions were held in 13 cities and districts, covering issues such as family values, the reasons for family breakdowns, the problems faced by women who have families with foreign citizens, the prevention of early and forced marriages, the procurement of birth certificates and housing. Representatives of local ministerial and departmental bodies and local executive authorities and the chairs of subdistricts (*jamoats*) and *mahalla* organizations and of civil society organizations operating in those cities and districts took part in the sessions. In the period 2018–2019, 45 media campaigns on those issues were conducted, including 5 on television, 15 on the radio, 10 in the printed press and 15 in the digital press.

### **Paragraph 46 (c)**

31. Under the Family Code of Tajikistan, a marriage is recognized only when it is concluded at a State civil registry office. The State Civil Registration Act provides for State civil registration, including the State registration of marriages, in order to protect the property rights and personal non-property rights of citizens.

32. In Tajikistan, there are de facto cohabiting couples, whose marriages are not officially registered and who have children together. In practice, there are also couples whose children were born before their marriage was registered.

33. Among the departments and branches of the State civil registry offices in the cities and districts of Tajikistan, the marriage registration offices in the cities of Dushanbe and Khujand, together with the relevant local State executive authorities, regularly organize events to raise public awareness. The provisions of the Family Code and the State Civil Registration Act aimed at protecting the property rights and personal non-property rights of women and children are explained at these events.

34. In the first half of 2020, State civil registry offices registered 15,214 paternity claims, of which 14,892 were made on the basis of a joint application by a father and mother who were not married at the time of their child's birth, 266 on the basis of a court order and 56 on the basis of an application by a father who was not married to the mother at the time of the child's birth.

35. In the first half of 2020, 29,955 marriages were officially registered, of which 190 were registered on the basis of court decisions. There were 88 marriages of citizens of Tajikistan with foreign citizens or stateless persons.

36. During the same period, 5,486 divorces were officially registered, of which 3,974 (72.43 per cent) were registered on the basis of a court order, 1,490 (27.16 per cent) on the basis of a joint application by the parents and 22 (0.40 per cent) on the basis of a statement by one of the parties. There were seven divorces involving foreign citizens.

37. The prevention of early marriage and polygamy is a current priority. The Constitution and laws of Tajikistan prohibit early marriage and polygamy. Under article 1, paragraph 3, of the Family Code, a marriage is recognized only when it is

concluded at a State civil registry office. Religious marriages have no legal bearing. In addition, awareness-raising initiatives are periodically conducted in cities and districts by the authorities, with the involvement of religious leaders, with a view to preventing early marriages and de facto polygamous marriages.

38. In recent years, the government agency for religious affairs, together with representatives of United Nations institutions and with other international organizations, has organized special training courses for *imam khatibs* and religious leaders. With the aim of preventing *nikokhs* (religious marriages), including those involving minors, the government agency for religious affairs, together with the Islamic Centre of Tajikistan, has organized retraining and specialized training courses for *imam khatibs* of collective mosques and imams of local mosques. In 2019 alone, more than 2,000 religious figures took part in such courses across the country.

39. The Committee's religious experts, together with the Islamic Centre of Tajikistan, drafted more than 50 recommended sermons for *imam khatibs* to deliver at Friday prayers, covering the strengthening and protection of family values, family planning, the protection of the rights of women and children, and the prevention of domestic violence against women and children and of early marriage. Every year, more than 2,000 seminars and round tables and more than 25,000 one-on-one and collective meetings are held, more than 1,000 local and national radio and television programmes are broadcast, and more than 1,500 articles are published in the media.

40. One of the documents required for the registration of marriages, in accordance with article 35 of the State Civil Registration Act and article 15 of the Family Code, is a document certifying that the persons entering into marriage have undergone a compulsory medical check-up. Compulsory medical check-ups for persons entering into marriage were introduced to promote public health and protect the rights of family members.

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