



International Convention on the Elimination of All Forms of Racial Discrimination

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Committee on the Elimination of Racial Discrimination

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Item 4 of the provisional agenda

**Consideration of reports, comments and information submitted
by States parties under article 9 of the Convention**

List of themes in relation to the combined twelfth and thirteenth periodic reports of Tajikistan*

Note by the Country Rapporteur

1. The Committee on the Elimination of Racial Discrimination decided at its seventy-sixth session¹ that the Country Rapporteur would send to the State party concerned a short list of themes with a view to guiding and focusing the dialogue between the State party's delegation and the Committee during the consideration of the State party's report. The present document contains a list of such themes. It is not an exhaustive list; other issues may also be raised in the course of the dialogue. No written replies are required.

The Convention in domestic law and the institutional and policy framework for its implementation (arts. 1–2, 4 and 6–7)

2. Information on measures taken by the State party to amend or enact legislation so as to include an overarching definition of racial discrimination in line with article 1 of the Convention and to condemn and criminalize all forms and manifestations of racial discrimination as set out in article 4 of the Convention. Information on the effective implementation of the Act on Equality and Elimination of All Forms of Discrimination, which entered into force on 22 July 2022, in particular with regard to indirect discrimination and grounds of discrimination that are not expressly included in the Act.

3. Information on the achievements of the Commission on Compliance with International Human Rights Obligations and its national action plan on the implementation of the previous recommendations of the Committee.

4. Instances of application of the Convention by courts. Disaggregated information on complaints regarding acts of discrimination received by law enforcement agencies, investigative bodies, the Office of the Ombudsman and the courts during the period under review, including the number of investigations and prosecutions carried out, sanctions imposed and compensation provided to victims. Information on measures taken by the State party to conduct an in-depth analysis of the low number of complaints received regarding acts of racial discrimination and on efforts to make law enforcement and judicial officers aware of the provisions of the Convention and build their relevant capacity, and to raise public awareness of their rights under the Convention. Information on measures taken to

* Agreement was reached to publish the present document after the standard publication date owing to circumstances beyond the submitter's control.

¹ [A/65/18](#), para. 85.



ensure that victims have effective access to remedies, including on the implementation of the policy framework for the provision of free legal assistance.

5. Progress made in finalizing and adopting amendments to the Commissioner for Human Rights Act to bring it into compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) so that the institution obtains A status, including by guaranteeing its independence and providing it with adequate human and financial resources. Information on the dissemination of the text of the Convention in minority languages and to vulnerable groups.

Situation of minority groups (arts. 2 and 5)

6. Detailed information on the population census of 2020, disaggregated by ethnicity, nationality, sex and age, and providing relevant socioeconomic indicators on the enjoyment of rights under the Convention by minorities and non-citizens. Information on the data made available by the central social protection register (established in 2018 by the Ministry of Health and Social Protection) that enables the collection of information on the socioeconomic status of the various groups of the State party's population.

7. Measures taken to develop a specific plan of action or strategy to protect Roma/Jughi people against discrimination and stigmatization and to promote their human rights, including in obtaining personal documents, registration at their place of residence, legalization of housing, access to high-quality education, health, social services, and protection against exploitation and harmful traditions.

8. Details on the situation of minority groups that are not mentioned in the State party's report, including Pamiri and Yaghnobi communities. Information on the situation in Gorno-Badakhshan autonomous region, including the reasons behind the ongoing tensions in this region and the Government's response to the local population's demands. Efforts to conduct awareness-raising campaigns to combat prejudice against and negative stereotypes of minority ethnicities, including measures to prevent the portrayal of Pamiri activists as criminals in the media and by public authorities.

9. Measures taken to ensure equitable public and political representation and participation of persons belonging to ethnic minorities, including women, at the federal and local levels, including the provision of disaggregated information on the representation of non-Tajik ethnic groups in all levels of public administration and explanations of the proportional gap between Tajik and non-Tajik ethnic groups. Information on the impact of the amendment of the Civil Service Act (January 2020), the revision of the Act on State Guarantees of Equal Rights for Men and Women and Equal Opportunities in the Exercise of Such Rights, and the regulations on the procedures for holding competitive examinations to fill vacant administrative posts in the civil service. Information on the representation of persons belonging to the Pamiri minority in the police and security forces.

10. Information on the purpose and impact of the State Policy Framework on Religion (approved in April 2018). Information on the impact of anti-terror legislation on the freedom of religion.

11. Details on efforts to combat human trafficking, including by prosecuting perpetrators and providing protection, assistance and reparations to victims of trafficking, including in cooperation with neighbouring States. Information on the work of the Interdepartmental Commission to Combat Trafficking in Persons (established in July 2017) and the outcome of the 2019–2021 national action plan in that regard.

12. Measures to ensure that ethnic minorities, including Pamiri and Yaghnobi minorities, have access to instruction in their own languages and that schools attended by students from ethnic minorities have the necessary equipment and capacities to provide such instruction. Information on efforts to preserve and protect minority languages through their introduction in educational curricula and the media, including measures taken in favour of minority languages other than Uzbek, Russian, Turkmen and Kyrgyz.

Situation of non-citizens, including migrants, asylum-seekers, refugees and stateless persons (arts. 5 and 7)

13. Information on measures taken to repeal regulations that restrict the right of asylum-seekers and refugees to enjoy freedom of movement and residence and the right to work, health, education and other basic services, as well as updated data on their access to such services. Information on measures to ensure that all asylum-seekers have effective access to fair and efficient asylum procedures and are not penalized for irregular entry or stay. Information on the implementation of the repeal of article 499 (3) of the Administrative Code, which prohibits the use of deportation as a punishment and the Amnesty Act adopted in December 2019 aimed at legalizing stateless and foreign nationals residing illegally in the country. Information on the situation of Afghan asylum-seekers.

14. Information on the impact of the new Labour Code (2016) and the strategy or action plan developed by the State Labour, Migration and Employment Monitoring Service with regard to minority and vulnerable groups.

15. Information on measures taken to grant citizenship to refugees. Information on the amendment to the State Civil Registration Act to ensure birth registration of all children born in Tajikistan regardless of their parents' legal status or availability of identity documents.

16. Information on the access of the stateless population to health care and social allowances during the coronavirus disease pandemic.

17. Information on the impact of successive phases of the Human Rights Education Programme for 2013–2020 and its content relating to issues of racial discrimination.
