



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

List of issues and questions in relation to the seventh periodic report of Tajikistan*

Women's rights and gender equality in relation to the pandemic, recovery efforts and global crises

1. Please describe efforts made and mechanisms put in place to contend with the coronavirus disease (COVID-19) pandemic and its long-term impact, and ways to apply these in the State party's response to current and future crises, such as armed conflict, food insecurity and the energy crisis. Please provide information on strategies to ensure that gender equality and women's empowerment are a fundamental requirement in addressing such crises, and in elaborating adequate responses, such as policies, the scope of essential services, assistance programmes, recovery efforts and the application of the rule of law. Please also provide information on measures taken to ensure the equal and meaningful participation of women in these processes, and to ensure that such crises will not lead to a reversal of progress made in the protection and promotion of women's rights.

Definition of discrimination against women and legislative framework

2. Please provide information on:

(a) Capacity-building for members of the judiciary and legal professionals on gender-based discrimination, in line with article 143 of the Criminal Code and the new Act No. 1890 on equality and the elimination of all forms of discrimination, and how the knowledge and training are applied and how to directly invoke or apply the Convention, or interpret national legislation in the light thereof, in court proceedings;

(b) Awareness-raising initiatives and training to enhance knowledge on women's rights and gender equality among women, government and law enforcement officials, parliamentarians, education and health-care professionals, and religious and community leaders;

(c) The percentage of the national budget allocated annually to the Commissioner for Human Rights to implement his mandate to guarantee equal rights and prevent all forms of discrimination, in accordance with article 13 of Act No. 1890;

* Adopted by the pre-sessional working group on 31 May 2023.



(d) Inspections or proceedings initiated by the General Prosecutor's Office regarding compliance with and implementation of normative legal acts aimed at ensuring State guarantees of equality between men and women (article 21 of the law of 2005 on State guarantees), independent of complaints from female victims.

Women's access to justice

3. Please provide information on:

(a) Complaints of direct or indirect violation of rights on the basis of Act No. 1890 on equality and the elimination of all forms of discrimination received since the entry into force of the Act in July 2022, disaggregated by sex, age, geographical location and disability;

(b) Measures taken to address the barriers that prevent women from filing complaints of gender-based discrimination against them, including as regards access to free and quality legal aid;

(c) Specific judicial or non-judicial remedies and forms of redress available to women in cases of gender-based discrimination and for the overall protection of their rights under the Convention;

(d) Statistics on victims of domestic violence and perpetrators, disaggregated by gender and the nature of the relationship between the perpetrator and the victim;

(e) The review of judicial practices in cases of domestic violence, and measures taken to eliminate gender-insensitive practices among judges and investigative bodies.

National machinery for the advancement of women

4. Please provide information on:

(a) The legal framework defining the mandate, authority and oversight of the Committee for Women and the Family as the national machinery for the advancement of women, and the regulation of its coordination with relevant ministries;

(b) Mechanisms to promote the participation of, and consultations with, women's organizations in the adoption and implementation of public policies and programmes.

Women human rights defenders

5. Please provide the Committee with details of the following:

(a) Protection mechanisms in place to address allegations of acts of intimidation, harassment and violence committed against women human rights defenders, and steps taken to investigate such acts and prosecute the perpetrators;

(b) Measures taken to provide a safe and enabling environment for women human rights defenders, women journalists, activists and civil society organizations to carry out their work and activities on women's rights and gender-related issues;

(c) Inspections, the registration process and authorization requirements, as well as conditions of access to foreign funding applicable to women human rights defenders, women activists and civil society organizations.

Temporary special measures

6. Please provide updated information on:

(a) Temporary special measures adopted to accelerate the realization of substantive equality between women and men in all sectors, including agriculture and political life, and in relation to disadvantaged groups of women;

(b) Measures taken to demonstrate the value of temporary special measures and increase awareness among relevant government officials, parliamentarians, employers and the general public of the nature of temporary special measures.

Gender stereotypes

7. Please provide information on:

(a) The status of a comprehensive strategy to eliminate gender stereotypes and patriarchal attitudes concerning the roles and responsibilities of women and men in the family and in society, including measures that target religious and traditional leaders and government actors at all levels, and how the strategy will be monitored and its impact assessed;

(b) Measures taken to ensure that curricula and teaching materials at all levels of education promote a positive and non-stereotypical portrayal of women and men.

Gender-based violence against women

8. Please describe measures taken:

(a) To develop a comprehensive legal framework and long-term strategy to combat gender-based violence against women and girls;

(b) To ensure the enforcement of the prevention of violence in the family;

(c) To ensure that all reports of gender-based violence against women are duly investigated, that perpetrators are prosecuted and that victims have access to effective reparations, including compensation;

(d) To ensure the provision, from the State budget, of free legal aid, including for court representation, medical, psychological and psychosocial assistance, shelter, rehabilitation and reintegration programmes, to all women and girls who are victims of gender-based violence, including in rural areas;

(e) To provide targeted, mandatory capacity-building activities on the prevention and detection of, and the response to, all forms of gender-based violence, including domestic violence, for law enforcement and judicial officials, health and social workers and other professionals who deal with gender-based violence and interact with victims, including in rural areas.

9. Please provide the Committee with:

(a) Statistical data on the number of complaints of all forms of gender-based violence against women, disaggregated by sex, age, ethnicity, geographical location and relationship between the victim and the perpetrator, on the number and type of protection orders issued, on the rates of dismissal and withdrawal of complaints, on prosecution and conviction and on the amount of time taken for the disposal of cases;

(b) An assessment of the impact of the State programme for the prevention of domestic violence for the period 2014–2023.

Trafficking and exploitation of prostitution

10. Please provide information on:

(a) The national referral mechanism for the early identification of and assistance to victims of trafficking;

- (b) Any criminal investigations, prosecutions or convictions of government officials complicit in human trafficking crimes;
- (c) Sentences imposed on persons convicted in cases of trafficking in women and girls;
- (d) Information about the human, financial and technical resources for the implementation of the national plan to combat trafficking in persons for the period 2022–2024, including international cooperation, and the progress achieved in its implementation;
- (e) A State fund for victims of human trafficking, or a plan to establish one;
- (f) Data, disaggregated by sex, age, nationality and geographical area, on the number of victims and survivors of trafficking in the past five years and on the extent and forms of exploitation of women and girls.

11. Recalling the Committee's previous recommendations (para. 30),¹ please provide the Committee with:

- (a) Data on the number and nature of complaints of police abuse and complicity in corruption targeted at women engaged in prostitution, and on prosecutions, convictions and sentences imposed;
- (b) Measures taken to reduce the demand for prostitution and to provide women in prostitution with exit programmes and support services.

Participation in political and public life

12. Please provide information on:

- (a) Measures taken to ensure the equal representation of women in political and public life, including temporary special measures, at the national, regional and local levels and in decision-making positions in the Government, the judiciary, and the civil and foreign services;
- (b) Campaigns to raise awareness among politicians, the media, teachers, community leaders and the general public about the importance of the participation of women in decision-making at all levels;
- (c) Monitoring of the use of derogatory language and stereotypes to refer to women in public statements and media reporting;
- (d) Measures taken to ensure that civil society organizations, including women human rights defenders and activists, are protected from reprisals against them, including intimidation, harassment, threats, physical abuse, sexual violence and arbitrary detention;
- (e) Steps taken to adopt a new national action plan for the implementation of Security Council resolution [1325 \(2000\)](#) and subsequent resolutions on women and peace and security.

Nationality

13. Please provide information on:

- (a) The adoption of the law on amnesty, providing for the regularization of persons without identity documents, including women and their children, and the

¹ Unless otherwise indicated, paragraph numbers refer to the Committee's previous concluding observations on the sixth periodic report of the State party.

harmonization of the legislation on citizenship, refugees and asylum-seekers, in particular Afghan women asylum-seekers;

(b) The number of stateless persons and citizenship applications filed in the past five years, as well as the number of cases granted or denied, and the justifications provided, disaggregated by sex;

(c) Measures taken to ensure that stateless women, women of undetermined nationality and women at risk of statelessness, and their children, including in rural areas, have access to registration countrywide, including birth registration, identification documentation, justice, health care, housing, social assistance and employment opportunities and that they are not deported before their status is determined;

(d) The State party's plans to ratify the Convention relating to the Status of Stateless Persons (1954) and the Convention on the Reduction of Statelessness (1961).

Education

14. Please provide information on:

(a) Measures taken to increase the proportion of girls pursuing secondary, technical and vocational education, as well as attending higher education institutions, including in remote areas;

(b) Measures taken to reduce the number of female students from poor and vulnerable groups who drop out of general education institutions, and to introduce re-entry policies to enable their return to school;

(c) Data on dropout rates for girls in secondary and higher education due to early marriage, pregnancy or discriminatory gender stereotypes that favour boys' access to education;

(d) Incentives for girls to choose non-traditional studies and career paths in fields such as science, technology, engineering and mathematics and information and communications technology (ICT);

(e) Women and girls' access to recreational and professional sports.

Employment

15. Please provide information on:

(a) Measures taken, such as temporary special measures, including quotas and incentives for employers, to promote women's employment in professions traditionally dominated by men and in decision-making positions, providing relevant statistics;

(b) Reviews of wages undertaken in sectors in which women are concentrated and measures taken to close the gender wage gap;

(c) The revised list of occupations for which the employment of women is still prohibited and measures taken to abolish the list of prohibited professions for women;

(d) Flexible working arrangements for both women and men, and public childcare facilities available to women;

(e) Support measures and incentives to stimulate the transition of women entrepreneurs from the informal to the formal sector;

(f) Measures to address the unequal access of women to information and communications technologies in the framework of the Mid-term Development

Programme of the Republic of Tajikistan for 2021–2025, and statistics on women's and men's access to information technology.

Health

16. In the light of the concerns expressed by the Committee in its previous concluding observations (para. 39), please provide:

- (a) Information about the underlying causes of the high maternal and infant mortality rates in the State party, as well as the number of obstetricians and gynaecologists per woman of childbearing age, especially in rural and remote areas;
- (b) Data, disaggregated by sex, age and region, on the prevalence of HIV/AIDS, including among pregnant women and girls, and on access to treatment;
- (c) Details about health services available for women and girls with disabilities;
- (d) Information on the progress in including ICT-facilitated educational materials on youth-friendly sexual and reproductive health services, including through women's clinics, and updated data on the prevalence of early pregnancies, disaggregated by age and region;
- (e) Explain whether admission to secondary vocational and higher educational institutions is conditional on the results of HIV tests, and whether Government decrees still prohibit HIV-positive women from pursuing a medical degree, adopting a child or being a legal guardian.

Economic empowerment and social benefits

17. Please inform the Committee on the following:

- (a) Mechanisms for ensuring equal access for women to loans, mortgages and other forms of financial credit;
- (b) Policies and measures designed to encourage the redistribution of care work at home in the community and ways in which the State party ensures effective access to social protection schemes for women engaged in unpaid work or in the informal sector;
- (c) Data on women who are working in the informal economy, self-employed or engaged in agricultural work.

Rural women

18. In the light of the concerns expressed by the Committee in its previous concluding observations (para. 41), please provide information on measures taken:

- (a) To ensure that rural women, including women employed in informal sectors of the economy, have access to education, health care, housing, formal employment, social security and retirement schemes, lifelong training opportunities, and ownership and use of land on an equal basis with men;
- (b) To ensure the equal participation of rural women in decision-making, including by involving them in the design, development, implementation, monitoring and evaluation of all relevant policies, strategies, plans and programmes;
- (c) To provide data on rural women, disaggregated by age, gender and geographical area.

Disadvantaged groups of women

19. Please specify the measures taken:

- (a) To ensure access to inclusive education and employment and to phase out institutionalization for girls and women with disabilities;
- (b) To eliminate stigmatization and discrimination against women living with HIV/AIDS and to ensure their access to health care and employment;
- (c) To investigate reports of lesbian, bisexual, transgender and intersex women being subjected to gender-based violence, correctional rape, forced marriage, arrest and discrimination, and to take remedial action and ensure their access to health care;
- (d) To improve the situation of Jughhi/Mugat women and girls, as well as Pamiri women and girls, and to protect them from discrimination and harmful practices;
- (e) To review resolutions 325 and 328 and the Government decision of 26 July 2000 on the establishment of a list of populated areas in which the temporary residence of asylum-seekers and refugees is not permitted, which limit the freedom of movement and residence of women and girl asylum-seekers and refugees;
- (f) To ensure access to justice, employment, health care, including sexual and reproductive health services, and social protection for disadvantaged groups of women, including women who have been left behind by male migrants, widows of male migrants, women belonging to ethnic minority groups, refugee and asylum-seeking women, migrant women, older women, women with disabilities, women living with HIV/AIDS, and lesbian, bisexual, transgender and intersex women.

Marriage and family relations

20. In view of the Committee's previous recommendations (para. 46), please provide information on the following:

- (a) Measures taken to ensure the effective enforcement of the minimum age of marriage, for girls and boys, at 18 years, and in particular, measures to detect cases of child and forced marriage, including unregistered religious marriages, and measures to ensure that offenders are brought to justice;
- (b) The number of applications to domestic courts for marriage authorization before the age of 18 and the number of such applications granted in the past five years, as well as the assessment criteria to be used by judges to authorize child marriages;
- (c) Measures taken to prohibit so-called "virginity tests" for future brides, and to revise the Family Code accordingly;
- (d) Measures taken to enforce court orders to recover child support alimony, including by introducing enforcement mechanisms and deterrent penalties in the case of non-implementation.