



International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

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Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families

List of issues in relation to the third periodic report of Tajikistan*

I. General information

1. Considering the recommendation made by the Committee in its previous concluding observations,¹ please clarify whether the bill on labour migration has been adopted. Please also provide information on the conclusions drawn from the analysis of existing legislation on migration conducted by the Ministry of Labour, Migration and Employment in collaboration with the International Organization for Migration (para. 38).² In addition, please elaborate on efforts made to establish comprehensive legislation concerning the protection of migrant workers and members of their families, as well as on the development of migration policies in line with the Convention.

2. Please provide additional information on the Strategy for the Regulation of the Migration Process in Tajikistan for the period up to 2024 and its medium-term action plan for 2023–2025, including the budget allocated, the monitoring and evaluation mechanisms in place, and the progress achieved to date in improving the legal framework on migration, diversifying labour migration from the State Party and strengthening the capacity of the Migration Service, as outlined in the Strategy and its action plan (paras. 22 and 23). Please provide further information about the strategies and policies relating to the rights of migrant workers and members of their families in the State Party, including foreign migrant workers and those in an irregular situation, as well as about the human, technical and financial resources allocated for the implementation of these strategies and programmes.

3. Please provide information on the human, technical and financial resources allocated to the Office of the Commissioner for Human Rights to ensure its full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). Please also provide an update on the efforts undertaken and progress made to ensure that the Office is accredited with “A” status by the Subcommittee on Accreditation of the Global Alliance of National Human Rights Institutions, including details on the draft law on amending the Commissioner for Human Rights Act prepared in 2023 (para. 60). In addition, please specify whether complaints mechanisms and other services, such as helplines, are available through the Office for migrant workers, including foreign migrant workers in the State Party, to address issues related to their rights under the Convention. Please also provide information on the awareness-raising activities carried out to inform the general public, and migrant workers in particular, of the services offered by the Office, including the right to file a complaint directly with the Office.

* Adopted by the Committee at its fortieth session (7–17 April 2025).

¹ [CMW/C/TJK/CO/2](#), para. 12.

² Unless otherwise indicated, paragraph numbers in parentheses refer to the third periodic report of the State Party ([CMW/C/TJK/3](#)).



4. Please indicate, in the light of the recommendation made by the Committee in its previous concluding observations,³ whether the State Party intends to make the declarations provided for in articles 76 and 77 of the Convention recognizing the competence of the Committee to receive communications from States Parties and individuals, and specify, if applicable, what constraints and difficulties have prevented it from doing so to date. Please also indicate whether the State Party is considering ratifying the following instruments, or, where applicable, provide information on the progress made towards their ratification:

- (a) The Convention on the Rights of Persons with Disabilities;
- (b) The International Convention for the Protection of All Persons from Enforced Disappearance;
- (c) The Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty;
- (d) The Optional Protocol to the International Covenant on Economic, Social and Cultural Rights;
- (e) The Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
- (f) The Optional Protocol to the Convention on the Rights of the Child on a communications procedure;
- (g) The Optional Protocol to the Convention on the Rights of Persons with Disabilities.

5. Please provide information on measures taken to improve the data collection system in the State Party, including efforts to strengthen coordination among the various government entities involved in collecting and analysing migration-related data, and to increase data accuracy on migration flows into and out of the State Party, particularly in the light of reports indicating the absence of a specific requirement for citizens to complete departure and arrival forms. Please provide updated information on steps taken and progress made in enhancing information-sharing between the State Party and countries of origin, destination and transit, with a view to addressing gaps in migration statistics, particularly concerning migrants in an irregular situation (paras. 53–56). In addition, please provide qualitative information and statistical data, disaggregated by sex, age, ethnicity, nationality and migration status, on labour migration movements to and from the State Party in the past five years, including foreign migrant workers, both documented and undocumented, and members of their families, on migrant workers abroad and their conditions of employment, on children who migrate abroad, including unaccompanied children, on spouses and children of migrant workers who are left behind in the State Party, and on returnees and migrants in transit.

6. Please provide an update on the adoption of the bill on non-profit organizations, drafted by the Ministry of Justice, as well as on the proposed amendments to the Public Association Act (para. 75). Please also explain the efforts made to ensure that civil society organizations, particularly those working on the rights of migrants, can fully and meaningfully participate in the consultations and that their views are duly considered in the development of the legislation. Please provide information on the cooperation and interaction between the State Party, civil society organizations and other partners and stakeholders working on migrant workers' rights in relation to the implementation of the Convention.

³ [CMW/C/TJK/CO/2](#), para. 13.

II. Information relating to the articles of the Convention

A. General principles

7. Please provide information on:

(a) Cases in which the provisions of the Convention have been invoked before a court for implementation or enforcement, as well as examples of relevant cases and judgments from the past five years;

(b) The number and types of complaints examined by the Migration Service and other bodies authorized to handle such complaints over the past five years, including their outcomes, disaggregated by sex, ethnicity and nationality;

(c) The legal safeguards in place to ensure that all migrant workers and members of their families, particularly those in an irregular situation, have access to free/affordable and qualified legal aid and assistance;

(d) The measures taken to inform migrant workers and members of their families about the judicial and administrative remedies available to them in the event of violations of their rights.

B. Part II of the Convention

Article 7

8. Please provide information on measures taken by the State Party to protect the rights of its nationals working abroad and to ensure that they are not subjected to discrimination, particularly in the light of reports of escalating harassment against Tajik migrants following the March 2024 attack on Crocus City Hall in Moscow. Reports indicate large-scale deportations of Tajik migrants from the Russian Federation in the first half of 2024, alleged coercion of Tajik nationals into joining the military of the Russian Federation under threat of deportation and re-entry bans for themselves and their family members, and documented instances of discrimination, including denial of public services, loss of employment, physical intimidation, and violent attacks against Tajik migrants and their property.

9. Please provide information on the efforts made by the State Party to address incidents of incitement, hate speech, exclusion and racially motivated violence against Afghan nationals. Please also describe the measures taken to promote intercultural integration, inclusion and solidarity towards non-nationals, including Afghan nationals, within the State Party.

C. Part III of the Convention

Articles 8–15

10. Please provide additional information on the efforts undertaken by the State Party to effectively combat and eradicate corruption across all institutions with responsibilities relating to the Convention, including its embassies and consulates abroad, as well as on the impacts of these efforts. In this regard, please also provide information covering the past five years on the number of complaints filed by migrant workers and members of their families, including Tajik migrant workers abroad, the number of officials investigated and held accountable for corrupt practices, and any reparations provided to the victims.

Articles 16–22

11. In the light of the recommendation made by the Committee in its previous concluding observations,⁴ please provide information on measures taken to adopt a law on amnesty to regularize the status of foreign citizens and stateless persons in the State Party,

⁴ Ibid., para. 35 (b).

as well as to ensure that migrant workers from the former republics of the Soviet Union who have lost their nationality or are not currently in possession of any valid documents are not subject to administrative fines, criminal penalties or deportation.

12. Considering the recommendation made by the Committee in its previous concluding observations,⁵ please elaborate on the efforts undertaken to ensure that the grounds for expulsion are clearly stipulated in law. Please also provide information on the safeguards in place to guarantee that, in immigration-related proceedings, including expulsion proceedings, migrant workers and members of their families, particularly those in an irregular situation, are provided with due process, including access to free legal assistance and interpretation services.

13. In the light of the reported forced returns of Afghan citizens, including refugees, by the State Party, please provide information about whether individualized assessments have been conducted to ensure compliance with the principle of non-refoulement and the prohibition of arbitrary expulsion and whether the State Party has sought the assistance of the Office of the United Nations High Commissioner for Refugees (UNHCR) in this regard. Given that those forcibly returned are predominantly men, who are often the primary income earners for their families, please provide information on measures implemented to protect the rights of the women and children who have been left behind in the State Party.

Article 23

14. Please provide information on the geographical distribution of embassies and consulates, and plans for the opening of new diplomatic missions, and on their role in assisting and protecting Tajik nationals working abroad, including those in an irregular situation, particularly in the event of ill-treatment, arrest, detention or expulsion. Please indicate whether migrant workers and members of their families in the State Party have effective access to the protection and assistance of the consular or diplomatic authorities of their State of origin, especially in cases of arrest, detention or expulsion. Please also indicate how migrant workers who are deprived of their liberty are informed of this right, particularly in cases of expulsion.

Articles 25–27

15. Please provide detailed information on the measures taken to ensure the protection of the labour rights of all migrant workers living in the State Party, in particular those employed in the informal sector, including payment of the national minimum wage, protection from dismissal, unemployment benefits, access to public work schemes for combating unemployment and access to alternative employment in the event of loss of work or termination of other remunerated activity.

16. Please indicate what measures have been taken to promote access to social security and social assistance, as well as the registration of migrant workers, particularly women, with the social protection system. Please also provide information on the efforts made to ensure that migrant workers and members of their families enjoy the same treatment as nationals in this respect. In addition, please provide information on the measures taken to implement the bilateral and multilateral social security agreements, including the Treaty on Cooperation in the field of Pension Provision, signed with the Russian Federation in 2021, as well as on any evaluation mechanisms in place.

Articles 28–31

17. Please provide information on measures taken by the State Party to ensure equitable access to immunization services for migrant children, including those in irregular situations. Please explain what steps have been taken to address the socioeconomic, logistical and administrative barriers that hinder vaccination coverage among migrant children, including the inconsistent tracking of zero-dose children, incomplete immunization records in national registries, and challenges in following up with migrant workers and their families.

⁵ Ibid., para. 35 (a).

Please also indicate the efforts made to address vaccine hesitancy among migrant families due to misinformation and lack of awareness about vaccine schedules.

18. Please provide information on measures taken to ensure birth registration and access to identity documents for all children, particularly those left behind in remote areas, and children whose mothers lack identity documents or whose parents do not have officially registered marriages. Please provide information on the measures taken by the State Party to ensure the right of children of migrant workers abroad, including children of migrant workers who are in an irregular situation, to be registered at birth and to have their nationality recognized in law and in practice. Please also provide information on the measures taken to ensure the birth registration of foreign migrant children in the State Party.

19. Please provide information on the measures taken to ensure, in law and in practice, that children of migrant workers have full access to preschool, primary, secondary and university education, including vocational education, regardless of their migration status. Please provide data, disaggregated by sex, age, nationality and migration status, on the levels of school enrolment and school dropout among children of migrant workers, particularly those in an irregular situation, in the State Party's education system.

Articles 32 and 33

20. In the light of the recommendation made by the Committee in its previous concluding observations,⁶ please provide information on the steps taken to facilitate the transfer of earnings and savings by migrant workers in the Russian Federation with preferential transfer and reception fees, and to make savings more accessible to members of their families. In particular, please clarify how the State Party has addressed the impact of the National Bank's order requiring all money transfers in Russian roubles by individuals without bank accounts to be issued only in the national currency of the State Party, noting concerns that, due to the unfavourable official exchange rate, recipients of remittances may continue to incur financial losses.

D. Part IV of the Convention

Articles 36–56

21. Please provide information on measures taken to ensure that foreign migrant workers and members of their families can fully exercise their right to form, to be a member of and to be part of the management of associations and trade unions for the promotion and protection of their rights and their economic, social, cultural and other interests, in accordance with article 40 of the Convention and with the International Labour Organization (ILO) Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87).

22. Please provide information on the measures taken to ensure that Tajik migrant workers residing abroad and members of their families are able to exercise their rights to vote, participate in public affairs and be elected to public office. Please provide data, disaggregated by age, sex and country of residence, on the number of migrant workers and members of their families residing abroad who exercised their right to vote in the 2020 presidential election and the 2025 parliamentary elections, and provide information on the steps taken to facilitate the exercise of their right to vote.

E. Part VI of the Convention

Articles 64–71

23. In the light of the recommendation made by the Committee in its previous concluding observations,⁷ please provide information on the efforts made to ensure that the rights of children who migrate abroad are fully protected, including unaccompanied

⁶ Ibid., para. 43.

⁷ Ibid., para. 45 (a).

children, and to ensure that children are not separated from their parents or guardians, including by strengthening efforts to engage with the authorities, national human rights institutions and civil society representatives in the destination countries.

24. In the light of the recommendation made by the Committee in its previous concluding observations,⁸ please provide information on efforts made to adopt a regulatory regime for private recruitment agencies and strengthen the existing licensing system for recruitment agencies in order to ensure that the rights of migrant workers are protected, in accordance with the Convention.

25. Please provide information on:

(a) Resources allocated for the implementation of strategies to combat trafficking in persons, especially trafficking in women and children;

(b) Measures taken to ensure that the national referral system is fully operational in order to effectively identify victims of trafficking and guarantee them adequate support, including access to shelters and legal, medical and psychosocial assistance;

(c) The efforts made to conduct prompt, effective and impartial investigations into, and prosecution and punishment of, all acts of trafficking in persons and other related offences, including when the perpetrators are government officials;

(d) The measures taken to provide appropriate training for law enforcement officials, judges, prosecutors, labour inspectors, service providers, teachers, embassy and consular personnel and other relevant professionals in the State Party and to build their capacity;

(e) The measures taken to improve the collection of data on victims, disaggregated by sex, age and origin, in order to prevent migrant smuggling and trafficking in persons;

(f) The means whereby victims of migrant smuggling and trafficking in persons may obtain a temporary or permanent residence permit;

(g) The measures implemented to ensure that information on migrant smuggling and trafficking in persons, on the risks associated with irregular migration and on assistance for victims is disseminated widely, including through prevention campaigns, as well as on the steps taken to combat the dissemination of misleading information on emigration and immigration;

(h) The measures taken to strengthen international, regional and bilateral cooperative efforts to prevent and combat migrant smuggling and trafficking in persons;

(i) The measures taken to search for migrants who have disappeared and/or died in transit through the territory of the State Party.

⁸ Ibid., para. 49 (a) and (d).