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Draft report of the Working Group on the Universal Periodic Review*

Tajikistan

* The annex to the present report is circulated as received

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Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its twenty-fifth session from 2 to 13 May 2016. The review of Tajikistan was held at the 9th meeting on 6 May 2016. The delegation of Tajikistan was headed by the Minister of Justice of Tajikistan, Mr. Rustam Shohmurod. At its 17th meeting held on 11 May 2016, the Working Group adopted the report on Tajikistan.
2. On 12 January 2016, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Tajikistan: Algeria, Germany and Saudi Arabia.
3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of Tajikistan:
 - (a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/25/TJK/1);
 - (b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/25/TJK/2);
 - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/25/TJK/3).
4. A list of questions prepared in advance by Belgium, the Czech Republic, Chile, Germany, Liechtenstein, Mexico, Norway, Slovenia, Spain, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America was transmitted to Tajikistan through the troika. These questions are available on the extranet of the UPR.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. Tajikistan considered the universal periodic review as an important instrument of the international oversight over the respect of the international human rights obligations by the United Nations member states as well for the assessment of positive developments and challenges in a country. Since its independence, Tajikistan had been committed to build a democratic society based on human rights values. This commitment was reflected in the second chapter of the Constitution, guaranteeing human rights and fundamental freedoms in line with the core international human rights instruments.
6. During the reporting period, Tajikistan submitted its national periodic reports to six treaty bodies and received visits from the Special Rapporteur on disability of the Commission for Social Development, and Special Rapporteurs on health, torture and on safe drinking water and sanitation. The Government thoroughly reviewed all recommendations of those human rights mechanisms in close cooperation with representatives of civil society. Various national action plans were developed for their implementation.
7. The main priorities of the Government in the area of the economic and social development remained the social and political stability, economic prosperity and social

wellbeing of people. The poverty reduction strategy for 2010-2013 and the strategy to improve the well-being of the population for 2013-2015 had been implemented in the framework of the National Development Strategy for the period up to 2015. Subsequently, a decline in poverty rate was observed. A new national development strategy for the period up to 2030 had been in the drafting process.

8. The United Nations Development Assistance Framework (UNDAF) for the period 2016-2020 was approved by the Government and the United Nations to assist Tajikistan in facing its development challenges. UNDAF covered the following main areas: democratic governance, rule of law and human rights, sustainable and equitable economic development, social development, inclusion and empowerment, and resilience and environment sustainability.

9. The national plan for 2013-2015 to implement the recommendations made by the United Nations member States in connection with the first review of Tajikistan was approved pursuant to a presidential decision of April 2013. The national plan was developed in cooperation with civil society and international organisations. Several measures were undertaken to bring the legislation and practice in conformity with the international human rights commitments of Tajikistan in the framework of the national plan.

10. Tajikistan had been implementing a policy of zero-tolerance on torture. The definition of torture in the Criminal Code was brought into line with article 1 of the CAT. Several other legal and policy measures were taken to implement the recommendations from the universal periodic review to combat torture. The Suspension of the Death Penalty Act had been in force and a moratorium on the death penalty had been in place. Amendments to the Criminal Code were introduced to include maximum imprisonment up to 20 years. Transition to the abolition of the death penalty would take place gradually by addressing issues of administrative, financial and legal nature.

11. The Constitution provided guarantees for the independency of the judiciary. The Judicial Reform Programme for 2015-2017, which constituted the third stage of reforms in the Judiciary, aimed at strengthening the Judiciary and increasing the role of courts in protecting human rights and freedoms and interest of the State, and ensuring the rule of law and access to justice. The adversarial system had been in place as a result of the judicial reforms.

12. Tajikistan adopted a new law on advocacy and the Bar, which regulated the mandate, rights and responsibilities of lawyers, the issuance of licenses to practice law, the entry to the legal profession and disbarment. The law established a qualification commission under the Ministry of Justice, consisting 9 members from various bodies, including the Bar. The Government adopted a concept on the legal aid in close cooperation with the UNDP. A new law on legal aid would be adopted based on the results of piloting of the new model of legal aid.

13. Amendments to the Law on Commissioner for Human Rights were adopted in March, 2016 to ensure independence and improve the functioning of the Commissioner. The new amendments stipulated the involvement of the Commissioner in the process of ratification of new human rights treaties. The Commissioner was also granted with a broad authority to carry out visits to all places where people are deprived of their liberty, in addition to the penitentiary institutions. The amendments added a new section on the establishment of Ombudsman of the Rights of the Child.

14. The Constitution guaranteed the freedom of expression and the mass media, and prohibited state censorship. In 2012, the articles on defamation and insult were removed from the Criminal Code, and liability was established for those acts under the Civil Code. The 2013 law on mass media simplified the procedure for the registration of media outlets.

The delegation reported on the number of private and public print and electronic media and radio stations, functioning in the country. The law provided some restrictions of the freedom of press, which were in conformity with the international human rights standards.

15. The Domestic Violence Prevention Act was adopted in 2013. The law envisaged the provision of assistance to victims of domestic violence. Eighteen crisis centres had been functioning in the county. The position of inspectors was established at the Ministry of Internal Affairs with the view to combating domestic violence. The Government also adopted the Domestic Violence Prevention Programme for 2014-2023. Tajikistan ratified OP-CEDAW in 2014.

16. The National Action Plan for Juvenile Justice Reform for 2010-2015 was implemented to improve the juvenile justice system. A new plan for 2017-2021 was in a process of development. A juvenile justice department was established within the Ministry of Justice in order to implement the recommendations from the first review to protect rights and interests of juveniles.

17. The Constitution guaranteed everyone to freely choose and manifest its religion and belief. Over four thousands religious organisations existed in Tajikistan. The Constitution entitled every citizen with the right to freedom of association. Over two thousands public association were registered. The law on public associations was amended to ensure transparency in the financing of the public associations. The amended law required that public associations report on funding received from foreign sources. The reporting had a declaratory nature and did not entail restrictions on funding from foreign sources.

18. The delegation reported on measures taken to combat trafficking in persons as well as corruption. A comprehensive Programme to Combat Trafficking in Persons for 2014-2016 was implemented. The Trafficking in Persons and Assistance to Victims Act was adopted in 2014. An anti-corruption law and strategy were adopted, and an anti-corruption advisory council was established to combat corruption.

19. The delegation indicated Tajikistan's commitment to guarantee international and regional security, including to combat terrorism, extremism, the illicit traffic in narcotic drugs and organized and economic crimes. In this respect, Tajikistan had acceded to several international and regional instruments and adopted a number of laws. The delegation stated that Tajikistan faced an act of terrorism and extremism in September 2015 that was organised by the former deputy Minister of Defence with the financial support of the Islamic Revival Party of Tajikistan and resulted in dozens of deaths. The Supreme Court declared the party a terrorist and extremist organisation and suspended it. The suspension of the party was carried out in accordance with international instruments on combating terrorism and extremism.

B. Interactive dialogue and responses by the State under review

20. During the interactive dialogue, 71 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

21. India encouraged Tajikistan to consider issuing a standing invitation to special procedure mandate holders, counter the stereotypes regarding the role of women, reduce the gender pay gap and address the issue of domestic violence. It inquired about the reform of the Committee for Women and the Family.

22. Indonesia praised the development of various national action plans to implement the recommendations of the United Nations human rights mechanisms. It noted the adoption of the Trafficking in Persons and Assistance to Victims Act and the National Inclusive Education Policy for Children with Special Needs.

23. Iran (Islamic Republic of) noted with satisfaction the steps taken by Tajikistan to establish an office on the rights of children and transform the office on human rights guarantees into a department under the auspices of the Executive Office of the President.
24. Iraq commended Tajikistan for the measures taken to protect women and children from violence as well as for the efforts to implement a development program.
25. Italy commended the measures taken by Tajikistan in order to prevent the use of torture. It welcomed the awareness raising campaigns on the abolition of the death penalty, the adoption of a law and program on the prevention of domestic violence.
26. Japan commended Tajikistan for the acceptance of visits of several Special Rapporteurs. Japan was concerned about restrictions imposed on access to websites and social networks as well as about reports of insufficient measures for promoting the rights of persons with disabilities.
27. Kazakhstan noted the active engagement of Tajikistan with the United Nations human rights mechanisms. It noted with appreciation the adoption of a number of laws aimed at bringing the national legislation in compliance with the international human rights standards.
28. Kuwait noted various human rights action plans, legislative and judicial reforms, and steps taken to prevent human trafficking. Kuwait noted with appreciation efforts of Tajikistan to promote the rights of the child and commended the improvements made to the penitentiary system.
29. Kyrgyzstan noted with appreciation efforts of Tajikistan to strengthen legal and institutional framework for the protection of human rights, expand the mandate of the Commissioner for Human Rights and maintain active cooperation with the United Nations human rights mechanisms.
30. Lao People's Democratic Republic noted with appreciation the ratification of the OP-CEDAW and the Convention on the Prevention and Punishment of the Crime of Genocide. It appreciated the efforts of Tajikistan to implement the recommendations from the universal periodic review and the treaty bodies.
31. Latvia noted concerns expressed by various treaty bodies on the limited representation of women in the decision making positions. It also noted concerns expressed by the Human Rights Committee about undue restrictions on freedom of expression and inquired about measures taken by Tajikistan to address those concerns.
32. Lithuania commended Tajikistan for its cooperation with OHCHR. It welcomed the moratorium on the death penalty and the adoption of a law on domestic violence and its associate programme for 2014-2023.
33. Malaysia noted the steps taken to improve the independence of the justice system through judicial reforms, combat trafficking in persons, and provide human rights education and training for the public and the state officials.
34. Maldives welcomed the establishment of an office on the rights of the child within the Executive Office of the President, as well as the adoption of the human rights education programme and the inclusive education policy. It urged Tajikistan to ensure an adequate standard of living and address the needs of poor and marginalised population.
35. Mexico noted with appreciation the cooperation of Tajikistan with the special procedure mandate holders of the Human Rights Council and the adoption of various national action plans to implement its human rights obligations.

36. Morocco praised the ratification of the Optional Protocol to CEDAW. It acknowledged the measures undertaken to protect migrant workers. Morocco noted measures to strengthen the judiciary and combat trafficking in persons.
37. Nepal noted the moratorium on the use of the death penalty and the initiatives directed to its complete abolition. It referred to Tajikistan's intentions to ratify CRPD and the second Optional Protocol to ICCPR. Nepal noted measures taken to empower women and promote gender equality, and combat domestic violence.
38. The Netherlands was concerned that free press was undermined and critical sources of information were made inaccessible for citizens. While welcoming the removal of the mandatory HIV testing for foreigners, it noted that the HIV prevalence increased and stigma and discrimination remained a major obstacle for an effective HIV/AIDS response.
39. Niger praised the ratification of the various international human rights treaties and the good cooperation of Tajikistan with the international human rights mechanisms. It commended the various national action plans adopted to implement recommendations of the United Nations treaty bodies.
40. Norway noted with concern the crackdown on opposition parties and groups and situation on women's rights, domestic violence and detainees. It noted that arrests and allegations of lawyers indicated shortcomings within the judiciary.
41. Pakistan welcomed the measures taken by Tajikistan to incorporate international instruments into domestic law, particularly the CEDAW. It noted the efforts of Tajikistan to combat human trafficking and illicit traffic in narcotic drugs, empower women, protect rights of children and persons with disabilities, eradicate poverty and maintain religious harmony.
42. Paraguay noted the adoption of a law and programme on combating domestic violence. It asked about measures taken by Tajikistan to promote the participation of women in public and political life of the country.
43. The Philippines welcomed the national plan for 2013-2015 to implement the recommendations of the first review. It appreciated efforts of Tajikistan to involve inter-agency groups and civil society in preparing national plans to promote the rights of migrant workers, prevent torture and eliminate racial discrimination. The Philippines urged Tajikistan to continue addressing access to quality health and educational services for all.
44. Poland commended Tajikistan for ratifying the OP-CEDAW. It remained concerned about the deteriorating situation of human rights and respect for fundamental freedoms.
45. Portugal welcomed Tajikistan's ratification of OP-CEDAW, since the first review. Portugal also welcomed the moratorium on the death penalty introduced in 2004 and the establishment of a national human rights institution.
46. The Republic of Korea noted progress, since its first review, in such areas as preventing torture and domestic violence, combating human trafficking, eradicating child labour and reducing poverty.
47. The Russian Federation noted with appreciation visits to the country by Special Rapporteurs on health, persons with disabilities, safe drinking water and on torture as well as submission of periodic reports to several treaty bodies. It welcomed the implementation of various programs aimed at strengthening democratisation processes and protecting rights and freedoms of its citizens.
48. Senegal praised the efforts of Tajikistan to implement the recommendations from the first universal periodic review. It referred to the development of various national action

plans and the cooperation of the Government with the special procedures mandate holders as positive steps to strengthen the human rights system.

49. Sierra Leone commended the adoption of programs and laws in the area of human rights and the moratorium on death penalty. It urged Tajikistan to promote measures to combat the deep-rooted stereotypes and gender segregation and enforce the legal minimum age of marriage by stopping the practice of under-age religious marriages without civil marriage certificates.

50. Singapore welcomed efforts of Tajikistan to provide equal opportunities to women and promote tolerance through promoting dialogue across faiths.

51. Slovakia stated that despite efforts of Tajikistan, the problems of torture and enforced disappearances remained. While noting some restrictions on media, it encouraged the Government to respect the freedom of information and expression, including in the Internet.

52. Slovenia commended Tajikistan for the progress achieved since its first review, including in fostering good governance and reducing poverty. It noted cooperation of Tajikistan with the United Nations human rights mechanisms. Slovenia expressed concern about cases of child marriage and about widespread homophobia and discriminatory practices against LGBTI persons.

53. Spain welcomed the adoption of a law on combating domestic violence and the moratorium on the death penalty.

54. The State of Palestine noted various positive measures taken since the first review, including the adoption of a national action plan to implement the recommendations of the CEDAW. It also noted the adoption of various national plans and strategies on human rights.

55. Sweden stated that domestic violence was not included as a crime in the Criminal Code. Noting the acceptance of the recommendations of its first review to prohibit corporal punishment of children, it stated that more could be done to ensure effective enforcement of its prohibition. Torture reportedly remained widespread in the criminal justice system.

56. Switzerland noted that some of the accepted recommendations of the first review had not yet been implemented. While acknowledging efforts of Tajikistan to prevent torture, it noted that the use of torture remained widespread. It commended the adoption of the Domestic Violence Prevention Act and its related programme.

57. Togo noted that an office on the rights of the child was established within the President's Executive Office, that Tajikistan developed eight action plans on human rights and ratified OP-CEDAW and the Convention on the Prevention and Punishment of the Crime of Genocide.

58. Turkey welcomed the reforms of the Judiciary aimed at enhancing the role of courts in defending human rights and the adoption of new laws on procedures and conditions of arrests and detention, and on rights of detainees. It commended Tajikistan for the adoption of various national actions plans. They success could only be achieved if implemented appropriately and in due course.

59. Turkmenistan noted with appreciation that Tajikistan had taken a number of measures to develop further legislative and institutional framework to promote and protect human rights.

60. Ukraine acknowledged the adoption, in broad consultation with civil society, of several national actions plans on human rights. It commended the launch of the website on the human rights situation in Tajikistan, with the support of OHCHR.

61. The United Arab Emirates welcomed the national action plans to follow up on recommendations from the human rights mechanisms; measures to improve prison conditions; the adoption of a programme to combat trafficking in persons, and Domestic Violence Prevention Act and its Programme.
62. The United Kingdom of Great Britain and Northern Ireland encouraged Tajikistan to take action on key recommendations made by the Special Rapporteur on freedom of expression and to ensure that the National Development Strategy includes steps to promote the rights of citizens. It was concerned about restrictions on civil society and on their funding and called on Tajikistan to ensure that all legislation is in line with international human rights standards.
63. The United States of America was concerned about new legislation restricting space for civil society; an increase in the number of politically-motivated detentions and incarcerations of human rights defenders and opposition figures in the name of national security; and efforts to silence independent media.
64. Uruguay note with satisfaction the ratification of OP-CEDAW, and the Convention on the Prevention and Punishment of the Crime of Genocide. It encouraged Tajikistan to continue the cooperation with civil society in implementing recommendations of the United Nations human rights mechanisms.
65. The Bolivarian Republic of Venezuela noted the advances made by Tajikistan since the first review, including the reduction in the level of poverty achieved through the implementation of the national development strategies and its measures to promote access to primary education.
66. Algeria welcomed Tajikistan's cooperation with the United Nations human rights mechanisms; its consultations with civil society in the implementation of recommendations; and the measures towards combating torture, trafficking in human beings, the prevention of domestic violence and child labour.
67. The delegation of Tajikistan stated that the President of Tajikistan sent a clear message on zero-tolerance to torture. Legal measures were taken to increase the punishment for the use of torture and ensure that detainees are informed about their rights at the outset of the deprivation of their liberty and have an immediate access to lawyers by their choice. A monitoring group, comprising representatives of state bodies and non-governmental organisations was established to prevent cases of torture. In 2014 and 2015, the group conducted monitoring of 19 places of deprivation or restriction of liberty as well as several military units. The office of the Prosecutor had been carrying out regular inspections of prisons. All those measures resulted in a reduction of complaints on the use of torture.
68. Tajikistan took measures to strengthen its legislative and institutional framework to combat terrorism. The Government was engaged in the OSCE program on combating extremism and terrorism. The Government developed a draft national strategy to prevent violent extremism and terrorism for the period 2016-2020 in the framework of the program. The delegation assured that the efforts of the Government, targeting extremism and terrorism would be carried out in strict compliance with international human rights law.
69. Tajikistan had paid special attention to the promotion of the role of women in society and prevention of domestic violence. The Government implemented programs to overcome stereotypes and patriarchal attitudes towards the role of women in society through the mass media and awareness raising campaigns. The gender equality was integrated in development and socio-economic strategies.
70. The legislation guaranteed gender equality, including in employment and education. However, the gender pay gap remained a problem. Women had been employed in low-paid jobs in areas such as education, health care and agriculture. The percentage of male

employees had been greater in areas where wages were generally high. The Government adopted a comprehensive program to provide training and support to women to get well-paid jobs. Women had received micro-credits. The number of the recipients of those credits had been increasing every year. Women were represented in the civil service, local and regional government bodies and in the national parliament.

71. The Government had been implementing programs to increase the employment rate. Professional training and support was provided to women and young persons. The level of official unemployment decreased in the past five years. Women and persons with disabilities were entitled with stronger legal guarantees in employment.

72. The Labour Code prohibited child labour. A national program was adopted to eliminate the worst forms of child labour. Tajikistan ratified the core conventions of the United Nations on migration issues as well as bilateral agreements on labour migration. The Government had taken several measures to reintegrate in the labour market those migrant workers who returned back to Tajikistan.

73. Tajikistan continued its reforms of health system aimed at improving primary health care based on the system of family doctors and restructuring of hospitals. The Government increased the budget funding for the health sector. The number of qualified medical personnel increased. The maternal and infant mortality rates decreased. The Government had been taking measures to prevent the spread of HIV/AIDS and provided antiretroviral therapy. The level of tuberculosis decreased due to the efforts of the Government. Tajikistan achieved polio-free status.

74. The delegation stated that only 58 per cent of the population had an access to safe drinking water. The Government, with the assistance of the German Development Bank and the Asian Development Bank, had been investing in the water supply infrastructure to improve the access of the population to safe drinking water.

75. The delegation reported on measures taken to control the use of tobacco, improve the provision of services to persons with disabilities and social assistances to low-income families. The Government expressed its gratitude to all its partners, including the World Bank, the German Development Bank, the Government of Japan, European Union, UNICEF, UNFPA, the Global Fund and USAID for providing financial support to projects implemented in the area of social protection and health care.

76. The access to education remained a priority since the independence of Tajikistan. Several laws and regulations were adopted to ensure universal access to education. A plan of action was developed to prevent children being involved in street begging and ensure that they return to schools. The Government provided financial allowances to children from orphanages and low-income families to attend school, in particular pursue their higher education. The school attendance remained very high.

77. The Government took a range of measures to increase attendance of girls in secondary education. A special quota system was put in place to ensure access to the higher education of young persons from remote and mountainous areas.

78. The Government introduced special courses in the school curricula, including by using computer technology in order to raise awareness on sexual and reproductive health.

79. Tajikistan provided guarantees for children belonging to ethnic minorities to have access to education in their languages. A long term plan was developed to provide schools with teaching materials for education in minority languages. A concept on inclusive education was adopted and the law on education was revised accordingly to include the principle of inclusive education.

80. Argentina welcomed the adoption of the programme for human rights education and encouraged Tajikistan to advance its actions towards ensuring religious tolerance and combatting all forms of discrimination towards members of religious minorities.
81. Armenia noted the initiation of reforms in the fields of the judiciary and penitentiaries; increased consultations with the non-governmental sector and the training of law enforcement officers in the combatting of torture. It welcomed the preparations to ratify further instruments.
82. Australia encouraged Tajikistan to enable the Ombudsman to be an independent institution with the resources necessary to fulfil its mandate in conformity with the Paris Principles. It commended the adoption of a definition of torture. Australia was concerned about restrictions on freedom of expression.
83. Austria welcomed improvements relating to the situation of juveniles in detention and efforts of Tajikistan to eliminate child labour. It was concerned about the deterioration in the human rights situation in the past year, particularly over Government's actions targeting the political opposition, and restrictions on media freedom and freedom of expression.
84. Azerbaijan appreciated the efforts of Tajikistan to develop the legislative framework in the field of human rights and the strategies which had been adopted in fields such as social protection, women, youth and health care. It commended Tajikistan for its efforts to bring its national human rights institution in line with the Paris Principles.
85. Belarus noted with appreciation the commitment of Tajikistan to develop national human rights institutions and ensure its effective work. It commended Tajikistan for adopting comprehensive approach to address issues related to the sustainable development and for measures taken to combat trafficking in persons.
86. Belgium commended Tajikistan for welcoming special procedures' visits and hoped a standing invitation would be extended shortly. Belgium reminded Tajikistan of accepted recommendations of the first review to ensure the independence of the body responsible for the appointment of judges.
87. Canada acknowledged the steps taken to address gender equality and violence against women. It remained concerned about the decision by the High Court to ban the Islamic Renaissance Party of Tajikistan, which restricted the right to freedom of expression, association and peaceful assembly.
88. Chad noted the cooperation of Tajikistan with the United Nations human rights mechanisms by implementing their recommendations. It noted legal and practical steps taken to improve the protection and promotion of human rights.
89. China noted Tajikistan's achievements, inter alia, in poverty reduction and the attention paid to gender equality. It further noted the 2013 Domestic Violence Prevention Act. It called upon the international community to provide the necessary technical and financial assistance for Tajikistan's development.
90. Colombia highlighted Tajikistan's commitment to advance the implementation of the recommendations, which had been received in the first review, in particular the Strategy to Promote the Role of Women and the Domestic Violence Prevention Act.
91. Costa Rica noted advances, such as those towards strengthening the Ombudsman and in combatting torture. It was, however, concerned at reports of the persistence of torture and ill-treatment; of the low representation of women in decision-making and violence used against public protests.

92. Cuba highlighted the cooperation of Tajikistan with international human rights mechanisms as well as the programmes for reform of the judiciary and penitentiaries and the adoption of the Trafficking in Persons and Assistance to Victims Act.
93. The Czech Republic expressed appreciation for the responses provided by Tajikistan to some of its questions and made recommendations.
94. Denmark expressed its hope that Tajikistan would accede to the OP-CAT, despite the fact that it had taken note of recommendations to ratify it during the first universal periodic review.
95. Egypt highlighted the amendment to the Commissioner for Human Rights Act; the adoption of different national human rights action plans; significant judicial reforms; expansion of human rights education; training for law enforcement officials; and enhancement of women's participation in public life.
96. France welcomed the delegation of Tajikistan and made recommendations.
97. Georgia noted the efforts of Tajikistan to prevent torture, enhance the role of women, and protect the rights of children. Georgia welcomed the cooperation with the United Nations human rights mechanisms and encouraged Tajikistan to extend a standing invitation to the special procedures.
98. Germany noted some encouraging signs concerning the prevention of torture, but considered that Tajikistan had not fully implemented the Convention against Torture. It was noted that the promise to ratify ICCPR-OP2 had not been implemented.
99. Ghana welcomed the efforts of Tajikistan to ratify some of the core international human rights treaties, but was concerned at reports that the use of torture continued, despite the acceptance of a recommendation to eradicate its use in the first review.
100. Guatemala welcomed the creation of the Government body to oversee implementation of the human rights obligations of Tajikistan and hoped that its functions could be expanded to improve implementation and include monitoring of the implementation of recommendations of the treaty bodies.
101. Honduras applauded the moratorium on the death penalty and hoped that this would be a step towards total abolition. It also hoped that the office of the Commissioner for Human Rights would achieve independent and effective operation.
102. The Sudan welcomed the cooperation of Tajikistan with different human rights mechanisms. It noted with satisfaction changes made to improve the conditions in the penitentiary system and efforts to fight human trafficking and to promote the rights of women.
103. Brazil commended Tajikistan for the ratification of OP-CEDAW and the adoption of the 2013 Domestic Violence Prevention Act, however, regretted the lack of solid mechanisms for their implementation. Brazil encouraged Tajikistan to advance in combating torture.
104. Montenegro highlighted the establishment of Children's ombudsman office and the efforts to eliminate forced child labour. It noted concern expressed by CEDAW about domestic violence and inquired about the efforts to provide medical care and protection for victims.
105. The delegation of Tajikistan reported that the Administrative Code was amended in 2013 to include provisions on prevention of domestic violence. The Criminal Code established liability for a number of crimes related to domestic violence. A network of inspectors functioned throughout the country to prevent domestic violence. Several crisis

and resource centres as well as temporary shelters also existed in the country. A special data collection system was introduced to collect statistics on cases of domestic violence.

106. A special department was established to coordinate the implementation of the recommendations from the United Nations human rights bodies. Additionally, focal points were appointed in all ministries and state agencies as well as in local government bodies to implement those recommendations.

107. The right to freedom of religion and belief was guaranteed to everyone regardless of ethnicity, race or language in accordance of human rights principles enshrined in the Constitution and domestic legislation. In the past four years, more than 300 religious groups were registered. At the same time, the registration of religious groups was not a precondition for the recognition and respect of various beliefs and religions. The registration mainly provided a legal status under the law. A religious group could be banned by the decision of a court in case the religious organisation violated legal requirements.

108. The delegation explained that some restrictions on women's freedom of expression and religion, such as the fatwa against women's attendance at, and praying in, mosques were enforced by the religious organisations and thus, the Government could not interfere and alter those restrictions.

109. The delegation explained that the existing legal restrictions on the religious education were aimed at preventing the recruitment of young persons by the religious terrorist organisations. The legal provisions were put in place, requiring that a person who was planning to study in a religious educational institution outside of the country should provide necessary documents, indicating that the educational institution conformed to the international standards. The distribution and dissemination of religious education should be in line with legal provisions, prohibiting incitement of hatred.

110. A new law on mass media was adopted in 2013 to ensure the independence of the media and to bring the legislation in line with the international human rights standards. Any violation of the freedom of the media by state officials was subject to criminal liability. Every person was guaranteed the right to seek and receive information on the activities of state officials and bodies through media. The State officials and civil servants were also obliged to respond to a request on information by citizens within three days. The blocking of websites, containing materials promoting extremist and terrorism was carried out in line with legal provisions. The new amendments to the law on counter-terrorism permitted the temporary suspension of electronic communication means in cases of on-going counterterrorism operations.

111. The delegation clarified that the new law on advocates and the bar did not provide the Ministry of Justice with any administrative functions regarding the access to lawyers to the Bar as well as any authority to intervene in the work of the Bar.

112. Tax inspections were carried out in public organisations and a large number of tax evasion cases were identified. At the same time, the delegation commented that those tax inspections should not be seen as an attempt to restrict the freedom of association.

113. The Government carried out the feasibility analysis regarding the ratification of the CRPD in cooperation with non-governmental and international organisations. The delegation stated that Tajikistan was ready to ratify the Convention at this stage.

114. In conclusion, the delegation reiterated the commitment of Tajikistan to universal periodic review process. The Government would study carefully all recommendations and would start the follow up of those recommendations to report on the progress achieved.

II. Conclusions and/or recommendations**

115. The recommendations formulated during the interactive dialogue and listed below have been examined by Tajikistan and enjoy the support of Tajikistan:

- 115.1. Ratify the Convention on the Rights of Persons with Disabilities (CRPD) (Togo) (Montenegro) (Uruguay) (Senegal) (Slovenia) (Guatemala) (Sierra Leone);**
- 115.2. Consider ratifying the CRPD (Philippines);**
- 115.3. Become a state party of the CRPD (Slovakia);**
- 115.4. Finalize and take necessary steps to access to the CRPD (Iran (Islamic Republic of));**
- 115.5. Consider the accession to the CRPD (Indonesia);**
- 115.6. Proceed towards finalizing the ratification process of the CRPD (Egypt);**
- 115.7. Finalize the study and consideration to become a State Party to the CRPD, provide adequate social protection for persons with grave disabilities, and improve opportunities for socioeconomic advancement of persons with disabilities (Malaysia);**
- 115.8. Ratify the CRPD as soon as possible (Ghana);**
- 115.9. Sign and ratify ICCPR-OP2 (Turkey);**
- 115.10. Ratify the Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty (Montenegro);**
- 115.11. Ratify the ICCPR-OP2 (Slovenia) (Paraguay);**
- 115.12. Ratify the ICCPR-OP2, aimed at abolishing the death penalty (Uruguay);**
- 115.13. Continue the work to bringing the national legislation in line with the international commitments (Kyrgyzstan);**
- 115.14. Continue the on-going process of the exchange of views and experiences with other countries with respect to the improvement of national legislation in the field of human rights (Cuba);**
- 115.15. Continue the efforts undertaken to strengthen the role of the national human rights institutions, in particular the Government Commission for Human Rights (Morocco);**
- 115.16. Strengthen the national mechanisms to improve the protection of the rights of children (Kuwait);**
- 115.17. Take all the necessary measures to ensure that the national human rights institution is in full compliance with the Paris Principles (Portugal);**
- 115.18. Establish an institution for the promotion and protection of human rights, in conformity with the Paris Principles (Chad);**

** The conclusions and recommendations have not been edited

- 115.19. Ensure that the Human Rights Ombudsman is an independent institution and receives the necessary resources to fulfil its mandate in accordance with the Paris Principles (Uruguay);
- 115.20. Continue to take steps to ensure that the National Human Rights Institution is in conformity with the Paris Principles (Egypt);
- 115.21. Strengthen further the capacity of the Office of the Commissioner on Human Rights in order to ensure its compliance with the Paris Principles (Niger);
- 115.22. Ensure that the Human Rights Ombudsman is an independent institution which functions in full compliance with the Paris Principles (Poland);
- 115.23. Continue reinforcing the mandate of the Commission on Implementation of international obligations in the field of human rights (State of Palestine);
- 115.24. Give continuity to strengthening of national human rights institutions and mechanisms to further promote and protect human rights in the country (Nepal);
- 115.25. Use a national mechanism for social security needs of the most vulnerable groups (Turkmenistan);
- 115.26. Strengthen the national capacity to implement the human rights action plans in accordance with international obligations (Sudan);
- 115.27. Promote the effective protection of children's rights in different relevant areas (Iran (Islamic Republic of));
- 115.28. Continue to strengthen measures to improve access to justice and education to women and girls in rural areas (United Arab Emirates);
- 115.29. Take practical steps to strengthen the implementation of measures promoting the rights of women and children and eliminating violence against them (Australia);
- 115.30. Continue reviewing policies for effective implementation of women and child rights (Pakistan);
- 115.31. Step up efforts to create favourable work conditions for women, youth and persons with disabilities (Kyrgyzstan);
- 115.32. Take further steps in consolidating the cooperation with the national civil society organisations in implementation of programs aimed at promotion and protection of Human Rights (Armenia);
- 115.33. Strengthen cooperation with human rights mechanisms in order to continue to harmonize national legislation with the international standards (Morocco);
- 115.34. Submit overdue reports to CRC (Ukraine);
- 115.35. Continue constructive cooperation with the United Nations human rights mechanisms (Azerbaijan);
- 115.36. Implement effectively the CEDAW, in particular by addressing deep-rooted stereotypes regarding the roles and responsibilities of women and men in the family and in society (Lithuania);

- 115.37. Take all necessary measures to fight against discrimination and violence against women and to accept individual complaints procedure relating to the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination Against Women (France);
- 115.38. Continue strengthening policies to promote gender equality and empowerment of women (Georgia);
- 115.39. Continue its efforts to eliminate the stereotypes regarding the roles and responsibilities of women and men in the family and in society (State of Palestine);
- 115.40. Take steps to end stereotypes and discriminatory behaviours against women and redress wage inequalities between men and women (Togo);
- 115.41. Promote greater representation of women in professional education, in decision-making positions in Government and in Parliament (Mexico);
- 115.42. Adopt legislation and policies to promote greater participation of women in political life and representative bodies (Costa Rica);
- 115.43. Adopt measures to eradicate gender discrimination in society, in the family and in the labour market (Honduras);
- 115.44. Adopt concrete measures to tackle structural inequalities, occupational segregation, the gender pay gap, and to ensure equal opportunities for women in all spheres of life (Slovenia);
- 115.45. Take measures to combat the stigmatization and discrimination associated with people living with tuberculosis and HIV as well as persons living with mental illness (Colombia);
- 115.46. Fully abolish the death penalty (Italy);
- 115.47. Fully abolish the death penalty, without delay (Lithuania);
- 115.48. Completely abolish the death penalty (Slovakia);
- 115.49. Abolish the death penalty (Costa Rica);
- 115.50. Eliminate the death penalty in all circumstances (Honduras);
- 115.51. Following the moratorium in force since 2004, undertake further measures to fully abolish the death penalty (Georgia);
- 115.52. Formally abolish the death penalty for all cases and under all circumstances, as well as ratify the Second optional Protocol to the ICCPR (Portugal);
- 115.53. Abolish the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (France);
- 115.54. Abolish the death penalty in law and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Australia);
- 115.55. Proceed to a de jure abolition of the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Belgium);
- 115.56. Establish the abolition of the death penalty through the ratification of the Second Optional Protocol to the ICCPR (Spain);

- 115.57. **Ratify the Second Optional Protocol to the ICCPR and abolish the death penalty without delay (Germany);**
- 115.58. **Strengthen practical efforts to eliminate torture (Australia);**
- 115.59. **Take measures to render its criminal law consistent with the prohibition of torture which constitutes a norm of international law (Honduras);**
- 115.60. **Conduct effective awareness raising activities to combat torture (Kyrgyzstan);**
- 115.61. **Implement the recommendations of the United Nations Special Rapporteur on torture and meaningfully investigate all allegations of torture (Slovakia);**
- 115.62. **Take immediate and concrete steps to fulfil the recommendations made by the United Nations Special Rapporteur on Torture in 2012 and 2014, including the establishment of an effective national preventative mechanism (Canada);**
- 115.63. **Carry out awareness raising campaigns for the prevention of domestic violence, particularly against women and girls (Mexico);**
- 115.64. **Initiate awareness raising and training campaigns so that law enforcement officials, medical personnel and jurists learn how to provide proper care to survivors of gender violence (Spain);**
- 115.65. **Establish a mechanism for the implementation of the law on domestic violence and its associate Programme 2014-2023 (Lithuania);**
- 115.66. **Implement and enforce the domestic violence law of 2013 as well as strengthen the protection and promotion of women's rights through legislative and policy measures and by addressing social and cultural attitudes and practices (Norway);**
- 115.67. **Expedite the creation of a robust mechanism that will implement the 2013 law on domestic violence and its associated Programme for 2014-2023 (Republic of Korea);**
- 115.68. **Strengthen measures to combat violence against women, including through the assessment of the implementation of the Domestic Violence Prevention Act and its related Programme, and consider seeking international cooperation on this matter (Brazil);**
- 115.69. **Train the health care personnel to screen and document instances of domestic violence (Lithuania);**
- 115.70. **Take definitive measures to end child marriages (Maldives);**
- 115.71. **Continue to combat violence against children (Turkmenistan);**
- 115.72. **Combat and eliminate the worst forms of child labour, and raise the minimum age for hazardous work to 18 (Sierra Leone);**
- 115.73. **Establish a legal framework to fight against forced labour and to ban child labour (Sudan);**
- 115.74. **Implement the National Programme for 2015-2020 to Eradicate the Worst Forms of Child Labour (Cuba);**

- 115.75. Enforce the prohibition of all corporal punishment of children in all settings, including in the domestic sphere and in care settings (Sweden);
- 115.76. Conduct regular monitoring of the situation related to trafficking in persons to effectively combat it (Belarus);
- 115.77. Continue with its positive steps to curb illicit drug trafficking (Pakistan);
- 115.78. Ensure the full independence of the judiciary (Poland);
- 115.79. Continue taking further steps for the strengthening of judicial system (Azerbaijan);
- 115.80. Continue the programmes to reform the judicial sector and penitentiary facilities (Sudan);
- 115.81. Take necessary measures to ensure the right to fair trial (Turkey);
- 115.82. Further strengthen the capacities of its prisons with a view to improving the custody conditions of detainees (Kazakhstan);
- 115.83. Continue the work to monitor and evaluate the penitentiary institutions (Kuwait);
- 115.84. Ensure that prompt, thorough and impartial investigations are carried out into all deaths in custody as well as all allegations of torture and ill-treatment (Denmark);
- 115.85. Conduct mandatory human rights training for law enforcement agencies, including training on hate crimes (Slovenia);
- 115.86. Maintain its effective protection of the family as the natural and fundamental unit of the society (Egypt);
- 115.87. Continue to implement programmes and policies aimed at strengthening inter-religious dialogue and fostering tolerance and understanding (Singapore);
- 115.88. Initiate a process of consultations with civil society to study how to reform the 2015 law on public associations to favour freedom of association, in line with international human rights norms (Spain);
- 115.89. Strengthen the mechanisms to ensure the safe and independent participation of civil society organizations in human rights discussions in the country and in their cooperation with the various United Nations mechanisms (Mexico);
- 115.90. Explore all the ways for enabling the development of a pluralistic society in a peaceful environment (Turkey);
- 115.91. Continue its efforts aimed at realizing the right to work for all with a specific focus on young people (Egypt);
- 115.92. Continue to formulate the next round of the national strategies for poverty reduction and development (China);
- 115.93. Continue to consolidate its successful measures towards the further advancing of its goal of reducing poverty by 20 per cent by 2020 (Venezuela (Bolivarian Republic of));

- 115.94. Continue its excellent programs and social policies with the aim of further increasing the quality of life of its people, particularly the most vulnerable sectors of the population (Venezuela (Bolivarian Republic of));
- 115.95. Continue implement the national strategy to improve the well-being of the population (Belarus);
- 115.96. Ensure access to clean drinking water is provided to the whole population (Maldives);
- 115.97. Improve the population's access to safe drinking water (Algeria);
- 115.98. Adopt a comprehensive mental health policy and plan of action based on a human rights approach (Brazil);
- 115.99. Continue to tackle the illicit traffic in narcotic drugs. In this vein, make complementary efforts to strengthen the existing legal and regulatory mechanism and better engagement of National Drug Control Agency with regional and international relevant institutions (Iran (Islamic Republic of));
- 115.100. Incorporate a human rights perspective in its legal and regulatory framework on combatting substance abuse and undertake transparent narcotic law enforcement, active campaign against drug use to the public, and rehabilitation programmes (Malaysia);
- 115.101. Improve the quality, availability and accessibility of primary health-care services, to reduce high rates of infant and maternal mortality (Maldives);
- 115.102. Allocate resources to promote universal access to HIV prevention and treatment in state and NGO-run health-diagnostic facilities without fear of stigma and discrimination (Netherlands);
- 115.103. Strengthen sexual and reproductive health education, as recommended by CESC (Slovenia);
- 115.104. Continue the efforts made in enhancing the right to education particularly education of children (Iraq);
- 115.105. Attach further importance to the culture of human rights through the educational and mass media institutions (Iraq);
- 115.106. Implement effectively measures to assist girls and children from low-income families to have access to quality education (Lao People's Democratic Republic);
- 115.107. Strengthen the efforts towards upgrading the facilities and capacity for quality education for all children, including special education, and improve the access to education for children living in remote areas (Malaysia);
- 115.108. Strengthen the national mechanisms for the access to appropriate education, including in rural regions (Belarus);
- 115.109. Continue the promotion of education in the field of human rights and dissemination of knowledge among the public about the international human rights standards (Turkmenistan);
- 115.110. Implement programmes of human rights education for state bodies, especially law enforcement officials (Colombia);
- 115.111. Implement educational programs aimed at raising awareness of the past genocides and of prevention of this crime (Armenia);

- 115.112. Continue to promote inclusive education for children with disabilities (India);
- 115.113. Promote the rights of disabled people, inter alia, through the ratification and implementation of the Convention on the Rights of the Persons with Disabilities (Algeria);
- 115.114. Take measures to ensure that persons with disabilities are recognized as a vulnerable group and can enjoy their economic, cultural and social rights (Honduras);
- 115.115. Take necessary steps to effectively implement the existing mechanism for the reintegration of returned migrant workers in the national economy (Kazakhstan);
- 115.116. Continue to draft development strategies, which Tajikistan intends to do in order to improve the standard of living (Sudan);
- 115.117. Further invest in the medical and educational fields to promote comprehensive economic and social development (China).
116. The following enjoy the support of Tajikistan, which considers that they are already implemented:
- 116.1. Consider acceding to the CAT (Honduras);
- 116.2. Consider ratifying the International Convention on the Rights of Migrant Workers and Their Families (Philippines).
117. The recommendations below did not enjoy the support of Tajikistan and would thus be noted:
- 117.1. Become a state party of the International Convention for the Protection of All Persons from Enforced Disappearances (ICPPED) (Slovakia);
- 117.2. Ratify the ICPPED (Senegal) (France) (Sierra Leone) (Paraguay);
- 117.3. Ratify the ICPPED as soon as possible (Ghana);
- 117.4. Ratify the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment (OP-CAT) (Denmark) (Italy) (Senegal) (Costa Rica) (Slovenia) (Guatemala) (Paraguay) (Uruguay) (Portugal) (Norway);
- 117.5. Ratify the OP-CAT as soon as possible (Ghana);
- 117.6. Sign and ratify OP-CAT (Turkey) (United Kingdom of Great Britain and Northern Ireland);
- 117.7. Consider ratifying the OP-CAT and ensure effective implementation of national mechanisms in the area of identification and prevention of torture (Kazakhstan);
- 117.8. Ratify the OP-CAT and establish a national preventive mechanism accordingly, and ensure that prompt, thorough and impartial investigations are carried out into all allegations of torture (Czech Republic);
- 117.9. Systematically implement the Convention against Torture; ratify the OP-CAT; and set up an effective National Preventive Mechanism as soon as possible (Germany);
- 117.10. Ratify the OP-CAT and establish an effective National Preventive Mechanism. In the meantime, unimpeded access to all places of detention

should be granted to independent civil society organisations working to prevent torture in Tajikistan (Sweden);

117.11. Ratify the OP-CAT and establish a strong and independent national preventive mechanism (Switzerland);

117.12. Consider accession to the Agreement on the Privileges and Immunities of the International Criminal Court (Latvia);

117.13. Become a state party of the Agreement on the Privileges and Immunities of the International Criminal Court (Slovakia);

117.14. Adhere to the main international instruments on human rights to which it is not a party, in particular the International Convention for the Protection of All Persons from Enforced Disappearances (Argentina).

118. The following recommendations will be examined by Tajikistan, which will provide responses in due time, but no later than the thirty-third session of the Human Rights Council in September 2016:

118.1. Ratify Optional Protocol to the CRPD (Senegal) (Slovenia);

118.2. Ratify Optional Protocol to the CRPD as soon as possible (Ghana);

118.3. Ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (OP-CRC-IC) (Portugal);

118.4. Become a state party of OP-CRC-IC (Slovakia);

118.5. Consider ratifying ILO Convention no. 189 (Philippines);

118.6. Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Portugal);

118.7. Proceed with early conclusion of major international human rights treaties, including the International Convention for the Protection of All Persons from Enforced Disappearances and the Convention on the Rights of Persons with Disabilities (Japan);

118.8. Continue work aimed at ratification of international instruments, including CRPD, ICPPED, ICCPR-OP2, OP-CAT (Ukraine);

118.9. Ratify international human rights treaties: second optional protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty; Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; Convention on the Rights of Persons with Disabilities (Poland);

118.10. Engage in bringing Tajikistan's legislation in line with the country's international and OSCE commitments to protect freedom of religion (Austria);

118.11. Develop and implement a National Action Plan for Human Rights to further ensure systematic and comprehensive approach for the promotion and protection of human rights, with the full engagement of the civil society (Indonesia);

118.12. Consider the adoption of a comprehensive national human rights action plan by involving civil society (State of Palestine);

118.13. Put in place a comprehensive national human rights action plan, in cooperation with civil society (Slovenia);

- 118.14. **Strengthen national coordination mechanisms and develop a comprehensive national human rights action plan, as recommended by the United Nations Secretary General in 2015, before Tajikistan's next Universal Periodic Review (Canada);**
- 118.15. **Issue a standing invitation to the United Nations special procedures (Lithuania);**
- 118.16. **Issue a standing invitation to all the Special Procedures (Republic of Korea);**
- 118.17. **Issue a standing invitation to special procedures, giving priority to the Special Rapporteur on the rights to freedom of peaceful assembly and association, and the Special Rapporteur on the situation of human rights defenders (Uruguay);**
- 118.18. **Extend a standing invitation to the Human Rights Council's Special Procedures (Portugal);**
- 118.19. **Extend a standing invitation to all special procedure mandate holders of the Human Rights Council, as previously recommended (Latvia);**
- 118.20. **Consider issuing a standing invitation to special procedures (Turkey) (Ukraine);**
- 118.21. **Adopt a comprehensive anti-discrimination law, providing a definition of direct and indirect discrimination (Italy);**
- 118.22. **Reinforce the legal framework for the prevention of discrimination and violence against women (Italy);**
- 118.23. **Bring all provisions concerning racial discrimination into full compliance with the International Convention on the Elimination of All Forms of Racial Discrimination (Guatemala);**
- 118.24. **Eliminate discrimination affecting freedom of religion (Honduras);**
- 118.25. **Urgently address the alleged systematic acts of torture and ill-treatment of persons in detention, and also ensure that all perpetrators are brought to justice (Ghana);**
- 118.26. **Take all necessary measures to effectively fight against torture and ill-treatment, particularly in places of detention, by creating an independent national preventive mechanism and ratifying the Optional Protocol to the Convention against Torture (France);**
- 118.27. **Continue its efforts to end violence against women, including through enacting preventive legislation, as well as through providing rehabilitative services to victims (Singapore);**
- 118.28. **Criminalize domestic violence, and facilitate access to legal remedies for victims of such violence (Paraguay);**
- 118.29. **Criminalize gender-based violence in all its forms, including the psychological ones (Spain);**
- 118.30. **Introduce a specific article on domestic violence in the framework of the forthcoming reform of the criminal code (Switzerland);**
- 118.31. **Criminalize domestic violence, create conditions in which victims do not fear to report cases of domestic violence, and increase the number of shelters available for victims (Czech Republic);**

- 118.32. **Include domestic violence as a specific crime in the criminal code (Sweden);**
- 118.33. **Establish procedures and allocate resources to identify victims of trafficking in persons and provide appropriate services for them (Paraguay);**
- 118.34. **Take further measures to prevent trafficking in persons, in investigating and prosecuting offenders, and provide effective support and redress to victims (United Arab Emirates);**
- 118.35. **Take all necessary measures to strengthen the independence of the judiciary and respect for the right to a fair trial, including as part of the ongoing trial against the leaders of the Islamic Renaissance Party of Tajikistan (France);**
- 118.36. **Introduce measures to ensure the free, fair and open conduct of trials in accordance with international standards including access to Legal Counsel in pre-trial custody (United Kingdom of Great Britain and Northern Ireland);**
- 118.37. **Ensure that detainees are afforded fundamental legal and procedural safeguards from the outset of their deprivation of liberty, and establish an independent National Preventive Mechanism in compliance with OP-CAT requirements (Norway);**
- 118.38. **Ensure lawyers freedom to exercise their professional duties by guaranteeing unhindered access to their clients, freedom to represent their clients without threats from state or other actors and that such threats are promptly investigated (Norway);**
- 118.39. **Refrain from and prevent any executive interference with lawyers' conduct of their professional duties (Austria);**
- 118.40. **Make the necessary amendments to the law on "Advokatura" of 2015 in order to remove any obstacle to the independence of the profession of a lawyer, in parallel with actions promoting the independence of judges (Belgium);**
- 118.41. **Grant ICRC missions full access to prisons and detention centers for independent monitoring (Germany);**
- 118.42. **Ensure the freedom of expression, association, assembly and freedom of religion in accordance with international human rights norms (Slovakia);**
- 118.43. **Ensure freedom of expression, of assembly and of association in accordance with its international obligations and do not interfere with civil society organizations and their activities by excessive regulations which are formulated ambiguously (Switzerland);**
- 118.44. **Respect freedom of expression, assembly and association, in particular by not prosecuting people on the sole grounds of their membership of a political movement, and by implementing the recommendations of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression following his visit (France);**
- 118.45. **Guarantee freedom of religion or belief and eliminate all forms of discrimination against people belonging to religious minorities, in particular in the field of religious education (Poland);**
- 118.46. **In the interest of religious tolerance, lift the bans on religious groups to enable them to practise their religions freely (Sierra Leone);**

- 118.47. Take the measures necessary to eliminate restrictions on freedom of worship, including the possibility of exercising the right to conscientious objection to compulsory military service (Argentina);
- 118.48. Amend the Law on Freedom of Conscience and Religious Organizations to fully protect the right to freedom of religion or belief in compliance with international norms and obligations. Remove restrictions imposed over religious education and literature, activities of religious organizations, and religious dress to promote religious tolerance (Canada);
- 118.49. Abolish all limitations with respect to freedom of religion and expression (Turkey);
- 118.50. Ensure the exercise of the right to freedom of expression, including through access to Internet sites and social networks without undue restrictions (Colombia);
- 118.51. Redouble its efforts to create an environment that ensures freedom of expression for journalists and media, including by revising the 2013 law and the 2015 governmental regulation on media, towards encouraging a free and active press (Republic of Korea);
- 118.52. Ensure that journalists and other individuals be able to freely exercise the right to freedom of expression and have access to Internet without undue restrictions (Lithuania);
- 118.53. Respect freedom of the media and ensure the safety of journalists (France);
- 118.54. Rescind undue restrictions on the media and access to information, including on the internet, and tolerate all forms of legitimate speech, including criticism of the government and its policies (Austria);
- 118.55. Remove undue restrictions on use of Internet and ensure that journalists can freely exercise their right to freedom of expression (Japan);
- 118.56. Repeal legislation that facilitates the blockage of Internet content and telecommunications (United States of America);
- 118.57. Review its legislation and policies in order to create a free, safe and enabling environment for journalists, bloggers and others to exercise fully their right to freedom of expression (Czech Republic);
- 118.58. Prevent arbitrary and extrajudicial blocking of websites and ensure that national security concerns are not invoked to stifle peaceful dissent and criticism of the Government or to restrict the right to freedom of religion or belief (Czech Republic);
- 118.59. Ensure that suspension of media outlets, including online media, cannot occur without judicial procedures on the basis of strict necessity and proportionality (Netherlands);
- 118.60. Decriminalize defamation (Lithuania);
- 118.61. Bring its law on public associations into line with the ICCPR and also as recommended by the Human Rights Committee, reinstate NGOs, which were unlawfully shut down, and refrain from imposing discriminatory restrictions on the freedom of association (Lithuania);
- 118.62. Amend the Law on Public Association to ensure consistency with international human rights norms (Australia);

- 118.63. **Review the Law on Public Associations and all relevant policies in order to eliminate inappropriate restrictions on the right to freedom of association and ensure that all civil society organizations, including those with foreign funding, can work free from undue administrative obstacles or harassment (Czech Republic);**
- 118.64. **Harmonize the Law on Public Assembly with international standards (Costa Rica);**
- 118.65. **Take the necessary measures so as to ensure that journalists and human rights defenders can do their work independently and without fear of reprisals from the authorities, be they of financial, legal or of another nature (Belgium);**
- 118.66. **Cease the harassment and persecution of human rights defenders and civil society organizations, including by ensuring that the implementing regulations for amendments to the Law on Public Associations are not used to harass NGOs through surprise inspections, onerous information requests, and other inhibiting tactics (United States of America);**
- 118.67. **Provide human rights defenders, including defence attorneys and political figures detained as a result of their political activities, such as Burzurmehr Yorov, Shuhrat Quدراتov, and Ishoq Tabarov and his sons, with fair, open, and transparent trials, including the substantive protections and procedural guarantees in accordance with Tajikistan's international obligations (United States of America);**
- 118.68. **Take measures in order to ensure that freedom of assembly and association can be exercised in line with international obligations and refrain from imposing restrictions on civil society and human rights defenders (Poland);**
- 118.69. **Immediately and unconditionally release prisoners arrested on politically motivated charges, including members of the Islamic Renaissance party of Tajikistan, Group 24 and their lawyers (Norway);**
- 118.70. **Allow peaceful opposition groups and parties to operate freely and exercise their rights to freedom of assembly, association, expression, and religion in accordance with international human rights norms (Austria).**
119. **All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

Annex

Composition of the delegation

The delegation of Tajikistan was headed by the Minister of Justice of Tajikistan, Mr. Rustam Shohmurod and composed of the following members:

- Mr. Yusuf Rakhmon, Prosecutor General;
 - Ms. Sumangul Tagoizoda, Minister of Labour, Migration and Employment;
 - Mr. Jamshed Khamidov, Ambassador, Permanent Representative of the Republic of Tajikistan to the United Nations Office and other International Organizations in Geneva;
 - Mr. Rahmatullo Mirboboev, First Deputy Minister of Education and Science;
 - Ms. Saida Umarzoda, First Vice-Minister of Health and Social Affairs;
 - Mr. Sharaf Karimzoda, the Deputy Head of Division on Human Rights Guarantees under Executive Office of President of Tajikistan.
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