



HAUT-COMMISSARIAT DES NATIONS UNIES AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
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Committee on the Elimination of Discrimination against Women

REFERENCE: BN/follow-up/Tajikistan/93

3 August 2026

Excellency,

In my capacity as Rapporteur on follow-up on concluding observations of the Committee on the Elimination of Discrimination against Women (CEDAW), I have the honor to refer to the examination of the seventh periodic report of Tajikistan, at the Committee's eighty-seventh session, held in February 2024. At the end of that session, the Committee's concluding observations ([CEDAW/C/TJK/CO/7](#)) were transmitted to your Permanent Mission. You may recall that in paragraph 67 on follow-up to the concluding observations, the Committee requested Tajikistan to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 15, 37 (a), 43 (a) and 53 (a) of the concluding observations.

The Committee welcomes the follow-up report ([CEDAW/C/TJK/FCO/7](#)) received under the CEDAW follow-up procedure on 25 February 2026 within the two-year reporting period. The Committee examined the follow-up report during the intersessional period and adopted the following assessment on 31 July 2026.

Regarding the recommendation made in **paragraph 15** of the concluding observations that the State party **"harmonize the Labour Code with the new Equality and Elimination of All Forms of Discrimination Act and repeal without delay the categorical ban on the exercise of 150 professions by women. It also recommends that the State party, in the light of technological developments, adopt the corresponding safeguards against hazardous working conditions for both women and men"**:

The Committee notes that, by Act No. 2234 of 16 February 2026, the Labour Code was amended to explicitly prohibit all forms of employment discrimination, including sexual harassment, and to expand the list of protected grounds to include health status, HIV status, disability, and family responsibilities.

The Committee notes, however, that a categorical ban on women's access to 142 occupations remains in force and that the constitutional prohibition under article 35, which provides the normative basis for such restrictions, has not been addressed, notwithstanding the significant technological developments that have altered working conditions across many of the relevant occupations and thus do not warrant gender segregation or gender exclusion. The Committee further notes that the inter-agency working group continues to review the remaining list of prohibited occupations rather than

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proceeding to full repeal as recommended. The Committee also notes that the amended Labour Code had not yet entered into force at the time of reporting, as it was still awaiting approval by the Upper Chamber, presidential signature, and official publication.

The Committee considers that the State party has taken some steps to implement the recommendation. It therefore considers that the recommendation has been **partially implemented**.

The Committee considers that the information provided by the State party relates directly to the recommendation but is weighted towards background and context rather than concrete steps taken in response to it. It thus considers that the quality of the information provided is **partially satisfactory**.

The Committee recommends that, in relation to **paragraph 15** of the concluding observations, the State party provide, **in its next periodic report**, information on further actions taken to:

Harmonize the Labour Code with the new Equality and Elimination of All Forms of Discrimination Act and repeal without delay the categorical ban on the exercise of 150 professions by women. It also recommends that the State party, in the light of technological developments, adopt the corresponding safeguards against hazardous working conditions for both women and men.

Regarding the recommendation made in **paragraph 37 (a)** of the concluding observations recommending that the State party "**review the draft criminal code with a view to criminalizing all forms of gender-based violence against women; amend articles 138, 139 and 140 of the Criminal Code to ensure that the definition of rape is based solely on the absence of a free and voluntary expression of consent; specifically criminalize marital rape, sexual harassment and online violence; expeditiously adopt the amended draft criminal code; conduct training for law enforcement officials, judges and other officers of the justice system to ensure implementation of the code; and, furthermore, conduct awareness-raising campaigns about the new provisions for the general public**":

The Committee notes the State party's indication that a new draft Criminal Code includes a separate article criminalizing domestic violence and provisions addressing online harassment. The Committee also notes the training activities conducted for 585 prosecutorial staff and 132 judges on the prevention of domestic violence and the application of criminal law.

The Committee notes, however, that the drafting of the new Criminal Code, which commenced through Presidential Decree No. AP-1209 of 30 April 2019, has been postponed indefinitely, that domestic violence has not been criminalized as a distinct offence, and that no amendments have been introduced into the current Criminal Code in the interim. The Committee further notes that the revised draft article on domestic violence has been significantly weakened compared to earlier versions, excluding psychological violence, economic violence, coercive control and minor bodily harm from its scope, and that the definition of rape continues to be based on the use of force rather than the absence of free and voluntary consent, with marital rape, sexual harassment and online violence have not been criminalized. The Committee also notes that the Code of Criminal Procedure provides no specific procedural safeguards for survivors of gender-based violence during investigations or court proceedings.

The Committee considers that the State party has not taken steps to implement the recommendation. It therefore considers that the recommendation has **not been implemented**.

The Committee considers that the information provided by the State party does not substantively engage with the core elements of the recommendation. It thus considers that the quality of the information provided is **unsatisfactory**.

The Committee recommends that, in relation to **paragraph 37 (a)** of the concluding observations, the State party provide, **in its next periodic report**, information on further actions taken to:

Review the draft criminal code with a view to criminalizing all forms of gender-based violence against women; amend articles 138, 139 and 140 of the Criminal Code to ensure that the definition of rape is based solely on the absence of a free and voluntary expression of consent; specifically criminalize marital rape, sexual harassment and online violence; expeditiously adopt the amended draft criminal code; conduct training for law enforcement officials, judges and other officers of the justice system to ensure implementation of the code; and, furthermore, conduct awareness-raising campaigns about the new provisions for the general public

In relation to the recommendation made in **paragraph 43 (a)** of the concluding observations to “**move from a target for representation of women in decision-making positions of 30 per cent to a target of 50 per cent, without exception, and that it fully implement the letter and spirit of the State party’s law on temporary special measures across the different branches of the government, develop zipper systems for electoral lists of political parties, provide targeted campaign financing to women candidates, ensure gender equality in nomination lists for international bodies and in public service positions, including positions in the judiciary and the foreign service**”:

The Committee welcomes the State party's indication that women's representation in the upper chamber of parliament increased from 26.6 per cent in 2020 to 32.2 per cent in 2025, and in the lower chamber from 27 per cent to 28.5 per cent over the same period. The Committee also notes the introduction of three additional points for women participating for the first time in competitions for public service posts, resulting in the recruitment of 492 women into the public service in 2025.

The Committee notes, however, that women's representation across all branches of government remains significantly below the 50 per cent parity target set out in the Committee's recommendation and further elaborated in the Committee's General Recommendation No. 40 (2024) on the equal and inclusive representation of women in decision-making systems. The Committee acknowledges that the General Recommendation No. 40 (2024) on the equal and inclusive representation of women in decision-making systems was adopted only after the adoption of the Committee’s concluding observations on the seventh periodic report of Tajikistan. The Committee further notes that no steps have been reported to develop zipper systems for electoral lists of political parties, provide targeted campaign financing to women candidates, or ensure gender equality in nomination lists for international bodies, the judiciary and the foreign service. The Committee also notes that the measures reported focus predominantly on entry-level recruitment rather than advancement into decision-making positions.

The Committee considers that the State party has taken some steps to implement the recommendation. It therefore considers that the recommendation has been **partially implemented**.

The Committee considers that the information provided by the State party focuses predominantly on statistics and training initiatives rather than on the specific measures recommended by the Committee. It thus considers that the quality of the information provided is **partially satisfactory**.

The Committee recommends that, in relation to **paragraph 43 (a)** of the concluding observations, the State party provide, **in its next periodic report**, information on further actions taken to:

Move from a target for representation of women in decision-making positions of 30 per cent to a target of 50 per cent, without exception, and that it fully implement the letter and spirit of the State party's law on temporary special measures across the different branches of the government, develop zipper systems for electoral lists of political parties, provide targeted campaign financing to women candidates, ensure gender equality in nomination lists for international bodies and in public service positions, including positions in the judiciary and the foreign service

Regarding the recommendation made in **paragraph 53 (a)** of the concluding observations to **“ensure the provision of free anti-retroviral treatment for women and men living with HIV and that it decriminalize the transmission of HIV/AIDS by revising article 125 of the Criminal Code, revise the decrees of 25 September 2018 and 1 October 2004 to allow persons living with HIV to obtain a medical degree, adopt a child or act as legal guardian, and prohibit employers from requiring disclosure of information on HIV status as a condition of employment”**:

The Committee notes that, by Act No. 2213 of 17 December 2025, chapter 24 of the Health Code was revised to strengthen protections for persons living with HIV, including provisions on confidentiality, non-discrimination, and access to treatment.

The Committee notes, however, that article 125 of the Criminal Code has not been revised, and that the number of criminal cases initiated under this provision has increased, with 91 cases opened in 2024 resulting in 79 convictions, the majority concerning exposure to risk rather than actual transmission. The Committee further notes that Government Decrees No. 475 of 25 September 2018 and No. 406 of 1 October 2004 have not been revised, and that the 2025 amendments to the Health Code introduced additional restrictions on the right of persons living with HIV to study in medical educational institutions, contrary to the recommendation. The Committee also notes that no steps have been taken to prohibit employers from requiring disclosure of HIV status as a condition of employment.

The Committee considers that the State party has not taken steps to implement the recommendation. It therefore considers that the recommendation has **not been implemented**.

The Committee considers that the information provided by the State party does not substantively engage with the specific legislative measures recommended by the Committee. It thus considers that the quality of the information provided is **unsatisfactory**.

The Committee recommends that, in relation to **paragraph 53 (a)** of the concluding observations, the State party provide, **in its next periodic report**, information on further actions taken to:



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Ensure the provision of free anti-retroviral treatment for women and men living with HIV and that it decriminalize the transmission of HIV/AIDS by revising article 125 of the Criminal Code, revise the decrees of 25 September 2018 and 1 October 2004 to allow persons living with HIV to obtain a medical degree, adopt a child or act as legal guardian, and prohibit employers from requiring disclosure of information on HIV status as a condition of employment.

Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Jelena Pia-Comella".

Jelena Pia-Comella

Rapporteur on follow-up

Committee on the Elimination of Discrimination against Women