



# UNITED NATIONS HUMAN RIGHTS TREATY BODIES

HAUT-COMMISSARIAT DES NATIONS UNIES AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

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REFERENCE: CERD/115<sup>th</sup> session/FU/CS/CS/ks

12 May 2025

Excellency,

I wish to inform you that the Committee on the Elimination of Racial Discrimination, during its 115<sup>th</sup> session, considered the follow-up report submitted by the Government of Tajikistan, pursuant to article 9 (1) of the Convention and rule 65 (1) of the Rules of Procedure of the Committee.

The Committee welcomes the submission of the report, in response to its request to receive information within one year on the implementation of the recommendations contained in paragraphs 12 (implementation of article 4 of the Convention), 16 (Roma/Jughi) and 24 (deportation of nationals of Afghanistan) of the Concluding Observations [CERD/C/TJK/CO/12-13](#) adopted following the consideration of the State party's combined 12<sup>th</sup> to 13<sup>th</sup> periodic reports at its 109<sup>th</sup> session, held in April 2023.

The Committee appreciates the opportunity provided to continue its dialogue with the State party and would like to draw the State party's attention to the observations mentioned below. The Committee requests that comments and responses on actions taken by the State party on these issues be included in its next periodic report.

## **Paragraph 12 of the Concluding Observations**

While taking note of the information provided by the State party, the Committee remains concerned that the current Criminal Code is not in full compliance with article 4 of the Convention and regrets that the new Criminal Code has not yet been adopted. The Committee considers the response of the State party unsatisfactory and reiterates its recommendation to accelerate the adoption of the new Criminal Code and ensure that it covers all elements of article 4 of the Convention. It requests the State party to provide, in its next periodic report, information on actions taken to fully implement the recommendation as well as on measures adopted to ensure that the provisions of the Criminal Code and its enforcement, including Article 189, fully comply with the Convention and with international human rights standards.

H.E. Mr. Sharaf Sheralizoda  
Permanent Representative of the Republic of Tajikistan  
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## **Paragraph 16 of the Concluding Observations**

While noting the information provided by the State party on the adoption of the National Plan of Action 2024-2027 for the implementation of the recommendations of the United Nations Committee on the Elimination of Racial Discrimination, the Committee regrets that the State party has not adopted a specific plan of action or strategy aimed at improving the situation of Roma/Jughi, ensuring their protection against discrimination and stigmatization, and promoting their fundamental rights. It also regrets the lack of detailed information on awareness-raising campaigns organized by the State party to promote tolerance, understanding and solidarity towards the Roma/Jughi community.

The Committee considers the response of the State party unsatisfactory and requests the State party to provide, in its next periodic report, information on measures taken to fully implement the recommendation. It also invites the State party to include information on consultations with civil society organizations and other relevant stakeholders on the National Plan of Action 2024-2027 for the implementation of the recommendations of CERD as well as on the actions taken to incorporate provisions on the protection of human rights of Roma/Jughi in the National Strategy for the Protection of Human Rights for the period up to 2038 and associated action plans.

## **Paragraph 24 of the Concluding Observations**

The Committee takes note of the information provided by the State party on the adoption of the Strategy for the Regulation of Migration Processes for the period up to 2040. It is also aware of the amendments of July 2020 to the Code of Administrative Offences abolishing deportation as one of the penalties provided for in Article 499 (3), which strengthened the legal framework for the protection of asylum-seekers and refugees from refoulement.

Nevertheless, the Committee remains concerned at reports of the practice of forcible returns of Afghan nationals, including refugees and asylum-seekers, notably men who were the primarily breadwinners of their families, but also women and children, which reached the number of at least 99 Afghan nationals deported during 2024, and reportedly continues during 2025. It also remains concerned about the lack of legal proceedings or judicial review, and the denial of effective access to justice to these Afghan nationals.

The Committee considers the response of the State party unsatisfactory. It reiterates its recommendation and requests the State party to provide, in its next periodic report, information on measures adopted to fully implement it, including on actions taken to put an end to the practice of forcible returns of Afghan nationals, to investigate cases of forcible return and incidents of extortion, and to ensure effective access to justice to all refugees and asylum-seekers, including those that have been forcibly returned to Afghanistan.



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Rest assured, Excellency, that the Committee looks forward to continuing its constructive dialogue with the Government of Tajikistan, with a view to providing it with assistance in its efforts to ensure the effective implementation of the Convention.

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

Yours sincerely,

A handwritten signature in blue ink, reading "Balcerzak" with a stylized flourish at the end.

Michał Balcerzak

Chair

Committee on the Elimination of Racial Discrimination