



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS  
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30 September 2022

Excellency,

In my capacity as Chairperson of the Committee on Migrant Workers (CMW), I have the honour to refer to the examination of the second periodic report of Tajikistan at the Committee's thirtieth session, held in April 2019. At the end of that session, the Committee issued its concluding observations (CMW/C/TJK/CO/2). You may recall that in the concluding observations, the Committee requested Tajikistan to provide, within two years, written information on the steps undertaken to implement the recommendations contained in paragraphs 12, 35 (a) and 47 of the concluding observations.

At its thirty-fifth session, held in September 2022 in Geneva, the Committee examined the follow-up report of the State party (CMW/C/TJK/FCO/2). The Committee welcomes the follow-up report received in May 2021 under the CMW follow-up procedure and commends the State party for furthering the implementation of the Convention. With respect to the follow-up report, the Committee notes the following:

Regarding the recommendation made in **paragraph 12** of the concluding observations, the Committee encourages the State party to continue to take the necessary steps to adopt comprehensive national legislation guaranteeing the rights of all migrant workers and members of their families legislation on migration by ensuring that (i) the bill on labour migration is adopted; (ii) the Government conducts public consultations on the bill on labour migration and national migration strategy with open and meaningful participation of civil society organizations. **The Committee considers that the recommendation contained in paragraph 12 has been partially implemented.**

In regard to the recommendation made in **paragraph 35 (a)** of the concluding observations, the Committee welcomes the amendments made to the Code of Administrative Offences and the Code of Procedure on Administrative Offences, reducing administrative fines, excluding deportation and extending the time for challenging administrative orders. However, the Committee regrets the lack of specific information on the application of the amended legislation and expulsion of foreign migrant workers and existing due process and procedural guarantees, including access to legal aid and interpretation, allowing foreign migrant workers to challenge expulsion orders. It encourages the State party to take all necessary measures to guarantee due process and procedural safeguards and ensure that migrant workers who are subject to deportation are aware of and able to exercise their right to challenge expulsion orders. **The Committee considers that the recommendation made in paragraph 35 (a) has been partially implemented.**

His Excellency  
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Regarding the recommendation made in **paragraph 47** of the concluding observations, the Committee welcomes steps taken by the State party on concluding bilateral agreements with the Russian Federation and negotiations with other countries of destination of Tajik migrant workers. At the same time, the Committee remains concerned that Tajik migrant workers continue facing challenges in the Russian Federation and are frequently being expelled from its territory without effective mechanisms of challenging expulsion orders. It encourages the State party to take the necessary measures to implement the recommendation to guarantee the rights of Tajik migrant workers in the countries of destination by:

(i) evaluating the implementation of the existing bilateral agreements which regulate migrant workers' rights to ensure that they effectively protect the rights of Tajik working migrants; (ii) strengthening the financial and expert capacity of accredited institutions (in particular of labour attaches); (iii) strengthening efforts on concluding bilateral agreements with potential countries of destination of Tajik migrant workers. **The Committee considers that the recommendation contained in paragraph 47 has been partially implemented.**

The Committee looks forward to continuing its constructive dialogue with the authorities of Tajikistan on the implementation of the Convention and welcomes the Tajikistan authorities to share information pertinent to the above in its next periodic report and request any assistance it may need.

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



Edgar Corzo Sosa  
Chair

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