



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

PALAIS DES NATIONS • 1211 GENEVA 10, SWITZERLAND

www.ohchr.org • TEL: +41 22 917 9000 • FAX: +41 22 917 9008 • E-MAIL: ohchr-registry@un.org

REFERENCE: 2026-11/CESCR/FU

12 March 2026

Excellency,

On behalf of the co-Rapporteurs for the follow-up to concluding observations and in my capacity as Chair of the Committee on Economic, Social and Cultural Rights, we have the honour to refer to the examination of the fourth periodic report submitted by Tajikistan at its 45th and 46th meetings, held on 5 October 2022. In the concluding observations (E/C.12/TJK/CO/4), the Committee requested Tajikistan to provide, within 24 months, written information on the steps undertaken to implement the recommendations contained in paragraphs 13, 23 (a)–(c) and 47 (b) and (d).

The Committee welcomes the follow-up report (E/C.12/TJK/FCO/4) received on 30 December 2024 under its follow-up procedure. The Committee examined the report at its seventy-ninth session, held on 9 to 25 February 2026, and wishes to communicate the following assessment:

Paragraph 13: Human rights defenders – Overall assessment: No progress

The Committee notes the information provided by the State Party regarding arrests, detentions and investigations carried out under national law and with respect for the right to counsel and due process. It also notes the establishment of a Working Group to improve the Legal Aid Act, but regrets the absence of information on its outcomes or other new measures. The Committee remains concerned by reports of reprisals, intimidation and stigmatization of human rights defenders, particularly those working on human rights of women and LGBTI persons, and the alleged misuse of criminal law in response to their peaceful activities, as also noted by the Special Rapporteur on human rights defenders. The Committee reiterates concerns about fair trial and due process violations, including limited access to independent legal representation, closed proceedings, and convictions based on insufficient evidence. The Committee is also concerned by reports of the widespread dissolution of non-governmental organizations.

Accordingly, the overall assessment of the recommendations contained in paragraph 13 is **no progress**. The Committee requests the State Party to provide, in its next periodic report, comprehensive information on measures taken to provide all due process guarantees during arrests, detention and trials of human rights defenders, including those working to protect economic, social and cultural rights, and including access to independent and effective legal representation at every stage of the proceedings.

H.E. Mr. Sharaf Sheralizoda
Ambassador Extraordinary and Plenipotentiary
Permanent Mission of the Republic of Tajikistan
to the United Nations Office and other international organizations in Geneva
Email: tajikistanmission@bluewin.ch

Paragraph 23 (a)-(c): Refugees and asylum seekers – Overall assessment: No progress

Para 23 (a) – Assessment: No progress. The Committee regrets that the restrictions under Presidential resolutions No. 325 (2000) and No. 328 (2004) are still in place and remain incompatible with the principle of non-refoulement. The Committee notes that these measures prevent asylum-seekers and refugees from accessing the labour market, health care, education, housing and other essential services in designated urban areas, including the two main cities of Dushanbe and Khujand. The Committee further regrets that non-compliance with these measures leads to rejection of asylum applications and administrative penalties which increase the risk of refoulement.^[3]

Para 23 (b) – Assessment: Lack of sufficient information to make an assessment. The Committee notes the information provided by the State Party in relation to the completion of the construction works at the Balkhi temporary accommodation centre for use in case of refugee emergencies or natural disasters, the Committee regrets that the State Party's follow-up report provides no substantive information on the operationalization or on the status of the temporary accommodation centre.^[4]

Para 23 (c) – Assessment: No progress. The Committee notes that no action has been reported by the State Party to amend and harmonise Article 335(1) of the Penal Code to ensure that all asylum-seekers are protected from penalization for irregular entry and have access to asylum procedures.^[6] The Committee further regrets that the penalisation of refugees and asylum-seekers for illegal entry raises the risk of refoulement and recalls its recommendation that the State Party ensure respect for the principle of non-refoulement in line with the 1951 Refugee Convention.

Accordingly, the overall assessment of the recommendations contained in paragraph 23 (a), (b) and (c) is **no progress**. The Committee requests the State Party to include, in its next periodic report, information on measures taken to lift the restrictions provided under presidential resolutions No. 325 (2000) and No. 328 (2004), with a view to ensuring the enjoyment by refugees and asylum-seekers of the economic, social and cultural rights enshrined in the Covenant. The Committee further requests the State Party include information on measures taken to fully respect the principle of non-refoulement.

Paragraph 47 (b) and (d): Right to housing – Overall assessment: No progress

Para 47 (b) – Assessment: No progress. The Committee notes the information provided with regard to the conditions under which evictions may take place under the State Party's Housing Code. It regrets, however, that the State Party's follow-up report contains no concrete information on measures taken to ensure respect for procedural safeguards in eviction processes. It recalls its concern regarding the need to guarantee adequate and reasonable notice prior to eviction, the provision of alternative accommodation within a reasonable time, and access to effective legal remedies. In particular, the Committee notes that the follow-up report fails to provide information on specific eviction cases and the safeguards applied in practice.

Para 47 (d) – Assessment: No progress. While acknowledging that the State Party's follow-up report contains information in relation to article 79 of the Housing Code that provides for alternative accommodation to citizens under a social rental agreement in connection with eviction, the Committee notes that the State Party has not reported any concrete measures that have been taken to prevent homelessness in cases of eviction, in particular by ensuring the availability of adequate alternative housing. In particular, the

State Party has provided no information on specific instances in which adequate alternative housing was offered following evictions.

Accordingly, the overall assessment of the recommendations contained in paragraph 47 (b) and (d) is **no progress**. The Committee requests the State Party to provide, in its next periodic report, detailed information on measures taken to ensure respect for procedural safeguards in eviction processes, including the conduct of genuine consultations, the provision of adequate and reasonable notice, the availability of alternative accommodation within a reasonable time, and access to effective legal remedies. The Committee further requests the State Party to report on measures taken to prevent homelessness in cases of eviction, including by ensuring the availability of adequate alternative housing.

The Committee requests the State party to provide, in its next periodic report, comprehensive information on the measures taken to implement these recommendations and the progress achieved thereby.

The Committee looks forward to continuing its constructive dialogue with the State party, with a view to assisting it in ensuring the effective implementation of the Covenant.

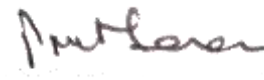
Please accept, Excellency, the assurances of our highest consideration.



Asraf Ally Caunhye

Co-Rapporteur for follow-up

Committee on Economic, Social and
Cultural Rights



Preeti Saran

Chair

Committee on Economic, Social and
Cultural Rights