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**Implementation of the International obligations by the Republic of Tajikistan in the
field of human rights: legal framework and procedures
(Research findings)
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Chapter 1.

LEGAL AND INSTITUTIONAL FRAMEWORK FOR IMPLEMENTATION OF THE INTERNATIONAL OBLIGATIONS IN THE FIELD OF HUMAN RIGHTS

During its 46th session on 2 March 1992, the UN General Assembly adopted Resolution 46\224 on the admission of the Republic of Tajikistan to the United Nations. Tajikistan's admission to the UN allowed the establishment of cooperation with specialized UN mechanisms and institutions. Since then, Tajikistan has ratified virtually all universal international human rights instruments. In the period between 2012 and 2018, Tajikistan additionally ratified the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (2014) and signed the Convention on the Rights of Persons with Disabilities in March 2018 (see table 2).

Table 1. Table of UN documents on Human Rights ratified by Tajikistan

№	Name of the treaty	Date of ratification	Date of enforcement
1.	International Covenant on Economic, Social and Cultural Rights (ICESCR)	04/01/99	04/04/99
1.1.	Optional Protocol to ICESCR	-	-
2.	International Covenant on Civil and Political Rights (ICCPR)	04/01/99	04/04/99
2.1.	First Optional Protocol to the ICCPR	04/01/99	04/04/99
2.2.	Second Optional Protocol to ICCPR	-	-
3.	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)	11/01/95	10/02/95
3.1.	Optional Protocol to CAT	-	-
4.	International Convention on the Elimination of All Forms of Racial Discrimination	11/01/95	10/02/95
5.	Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)	26/10/93	25/11/93
5.1.	Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (OP CEDAW)	22/07/2014	22/07/2014
6.	Convention on the Rights of the Child (CRC)	26/10/93	25/11/93
6.1.	First Optional Protocol to the CRC on the involvement of children in armed conflict	05/08/2002	05/09/2002
6.2.	Second Optional Protocol to the CRC on the sale of children, child prostitution and child pornography	05/08/2002	05/09/2002
7.	International Convention on the Law of All Migrant Workers and Members of Their	08/01/2002	01/07/2003

8.	Convention on the Rights of Persons with Disabilities (CRPD)	Signed 22/03/2018	
8.1.	Optional Protocol to the Convention on the Rights of Persons with Disabilities	-	-
9.	Convention for the Protection of All Persons from Enforced Disappearance	-	-

Article 5 of the Constitution of the Republic of Tajikistan determines that a person's rights freedoms hold the highest value. The rights and freedoms of a person and a citizen are officially recognized, respected and protected by the state.

The Constitution determines the supremacy of international law over national legislation. Article 10 of the Constitution reads: "The Constitution of Tajikistan shall have supreme legal force and its norms have direct affect. Laws and other legal acts that contradict the Constitution shall be of no legal validity. International legal documents recognized by Tajikistan shall be a component part of the legal system of the republic. In case the national laws do not comply with the recognized international legal documents, the rules of the international documents shall apply".

The Government of Tajikistan has stated its commitment to the strict observance of international treaties and the principle of *mandatory and conscientious implementation of international treaties*.¹

Implementation of international human rights commitments

Nowadays, states are increasingly adopting integrated, effective and sustainable approaches in relation to the preparation of reports, interaction with the UN Treaty bodies, and follow-up procedures through the creation of new government structure, known as **the national reporting and follow-up mechanism**.

The national reporting and follow-up mechanism is a permanent governmental mechanism or structure responsible for **coordinating the preparation of reports** to international and regional human rights mechanisms (including treaty bodies, the universal periodic review and special procedures), and **coordinating and monitoring the implementation of the follow-up activities at the national level, which are** part of the state's contractual obligations. The National Mechanism performs these functions **in coordination** with ministries, specialized government agencies (such as the National Statistic Office), parliament and the judiciary, as well as in **consultation** with the national human rights institution(s) and civil society. The **approach** used by the national mechanism is **comprehensive** and involves extensive cooperation with all international and regional human rights mechanisms, as well as follow-up activities for the implementation of the recommendations by the treaty bodies and by the Special procedures. The national mechanism **is not directly involved in the implementation of human rights obligations**, and is mainly responsible for the preparation of state reports and

¹ Art. 18 p. 1. The Law of the republic of Tajikistan "On International treaties", Akhbori Majlisi Oliy Republic of Tajikistan, 2016 r., #7, p. 606

input, visits by independent experts, adoption of follow-up measures, provision of assistance to the relevant ministries in implementing the international human rights bodies' decisions, and managing the process of the implementation of treaty provisions, relevant recommendations and decisions of other government units.²

The national reporting and follow-up mechanism fulfills the following functions:

1. **Interaction** and liaison with international and regional human rights mechanisms; organization and simplification of the process of the preparing reports to international and regional human rights mechanisms, preparing replies to communications and subsequent questions, and follow-up on the recommendations/decisions of such mechanisms;
2. **Coordination of information gathering** from state agencies, parliament and the judiciary for the preparation of reports and follow-up activities on the implementation of recommendations and decisions, as well as coordinating the exchange of information between relevant agencies;
3. **Consultations** - conducting and coordinating consultative meetings on the preparation of reports and follow-up activities in cooperation with national human rights institutions and civil society;
4. **Information management** - tracking, recording and converting recommendations and decisions for discussion into thematic groups; identification of government agencies responsible for their implementation; development of follow-up plans, including deadlines; and information management regarding implementation.

National practice

The President and the Government of the Republic of Tajikistan are responsible for adopting measures for the implementation of Tajikistan's international commitments under the UN treaties, as well as designating state officials and/ or agencies entrusted with monitoring their implementation. The Ministry of Foreign Affairs is responsible for the overall monitoring of the implementation of international treaties in Tajikistan.

Thus, there are two main state bodies responsible for the implementation of international human rights obligations: the Government and the Ministry of Foreign Affairs.

The Ministry of Foreign Affairs

The Ministry of Foreign Affairs is responsible for the registration of international treaties which have been ratified by Tajikistan with the United Nations Secretariat, as well as with the relevant structures of other international organizations. The Ministry of Foreign Affairs is also responsible for maintaining the records of international treaties which Tajikistan has signed.

² National reporting and follow-up mechanisms. A practical guide to the effective engagement of states with human rights mechanisms. UN (2016)

Copies of international treaties ratified by Tajikistan are sent to the Ministry of Justice for inclusion in the State Register of Legal Acts.

In accordance with the Regulation on the Ministry of Foreign Affairs³, the Ministry is responsible for:

- facilitating interaction between executive bodies with legislative and judicial authorities during international advocacy events, to ensure that all state bodies have a unified international agenda in line with the foreign policy of Tajikistan and Tajikistan's fulfillment of its international obligations;
 - monitoring Tajikistan's implementation of international treaties;
 - participating in developing proposals on compliance of Tajikistan's national legislation of with the country's international legal obligations;
 - summarizing and developing proposals to improve the legislation of Tajikistan in the sphere of international relations;
- Coordinating Tajikistan's participation in the activities of the United Nations (UN), Organization for Security and Cooperation in Europe (OSCE), Commonwealth of the Independent States (CIS) and other international and regional organizations, conferences and forums.

Government of the Republic of Tajikistan

The Tajikistani Government is responsible for fulfilling the country's obligations under international treaties, and exercises systematic control over their implementation by the state bodies.⁴ The government establishes permanent commissions, defines their tasks and procedures and approves the necessary regulations.

Since 2014, the Government has initiated a number of reforms relating to the implementation of international human rights obligations. Thus, in accordance with the Presidential Decree No. 116 from 17 January 2014 "On the Restructuring of the Executive Office of the President of the Republic of Tajikistan", the Department for Guaranteeing Constitutional Rights of Citizens was replaced by the Department on Human Rights Guarantees and given responsibility for monitoring the implementation of the provisions of international human rights laws. The Department also acts as the Secretariat of the Governmental Commission which oversees the implementation of international human rights obligations and the National Commission on the Rights of the Child.

The Governmental Commission for Ensuring the Implementation of International Human Rights Obligations (hereinafter referred to as the Commission) was established by Government Decree of 4 March 2002.

³ Положение Министерства иностранных дел РТ, (в редакции Постановления Правительства РТ от 2.11.2007г.№556, от 30.09.2010г.№467, от 26.02.2011г. №50, от 30.08.2011г.№397,от 01.09.2011г.№441, от 24.01.2012г.№36)

⁴ Ст. 4, Конституционный закон Республики Таджикистан «О Правительстве Республики Таджикистан», Ахбори Маджлиси Оли Республики Таджикистан, 2001 г., № 4, ст. 215; 2003 г., №4, ст. 152; 2008 г., №1, ч. 1, ст. 1; 2009 г., №12, ст. 813; 2016 г., №7, ст. 602; Конституционный закон РТ от 18.07.2017, №1455

On 1 April 2017, the government adopted a new Decree “On the Commission under the Government of the Republic of Tajikistan to ensure the implementation of international human rights obligations”. The decree extended the goals and objectives of the Commission, as well as the powers of the Chairperson and the Secretariat of the Commission. Thus, the Commission is tasked with ensuring the coordination of the activities of state bodies in reviewing and implementing the decisions and concluding observations of UN bodies, as well as forging cooperation with relevant ministries and departments for the implementation of recommendations from UN treaty bodies.

The Commission is a permanent advisory interagency body, established to coordinate the activities of ministries and departments in implementation of the international human rights obligations .

Functions of the Commission:

- coordination of the activities of relevant state bodies for the implementation of international human rights obligations;
- preparation of national reports on the implementation of international treaties, as well for the development and submission of human rights reports to various international organizations, including relevant UN bodies;
- ensuring the coordination of state bodies’ activities on the consideration and implementation of decisions and observations of the UN bodies;
- establishing dialogue and cooperation with international organizations and other states in the field of human rights;
- assistance in bringing Tajikistan’s legislation in line with the provisions of international human rights instruments ratified by Tajikistan;
- facilitating the ratification of international human rights treaties;
- review and evaluation of the compliance of Tajikistan’s national legislation, including draft regulatory legal acts, with international human rights standards;
- assessment of the effectiveness of Tajikistan’s implementation in international human rights treaties;
- consideration of proposals from relevant state bodies and preparation of advisory opinions on Tajikistan’s position regarding the implementation of international human rights treaties;
- promoting the publication and dissemination of information about human rights;
- conducting research, preparation of proposals on the application and further improvement of human rights standards;
- establishing cooperation with officials in government bodies (national and local) responsible for human rights protection and the implementation of recommendations of UN bodies. ;
- interaction and cooperation with government bodies, representatives of civil society and international organizations on the issues of human rights protection.

The Commission consists Chairperson Chairperson of:

1. First Deputy Prime Minister - Chairperson of the Commission;

2. Head of the Department of Human Rights Guarantees of the Executive Office of the President - Deputy Chairperson of the Commission;
3. Chief Specialist of the Department of Human Rights Guarantees of the Executive Office of the President - Executive Secretary of the Commission;
4. First Deputy Chairperson of the Supreme Court (subject to agreement);
5. First Deputy Prosecutor General (subject to agreement);
6. First Deputy Director of the Agency for Statistics under the President;
7. First Deputy Minister of Justice;
8. First Deputy Minister of Internal Affairs;
9. First Deputy Minister of Foreign Affairs;
10. First Deputy Minister of Education and Science;
11. First Deputy Minister of Finance;
12. First Deputy Minister of Labor, Migration and Employment;
13. First Deputy Minister of Economic Development and Trade;
14. First Deputy Minister of Health and Social Welfare;
15. First Deputy Minister of Culture;
16. First Deputy Chairperson of the State Committee for National Security;
17. First Deputy Chairperson of the Committee on Women and Family Affairs under the Government;
18. First Deputy Chairperson of the Committee on Youth, Sports and Tourism under the Government.

Tajikistan's Human Rights Ombudsman and the Children's Rights Ombudsman can participate in meetings of the Commission as permanent observers with the right to vote.

Representatives of civil society may attend the meetings of the Commission in an advisory capacity with agreement from the chairperson. In order to ensure public participation in the work of the Commission, the civil society representatives may be periodically changed.

Representatives of other state bodies, international organizations and concerned parties may participate in Commission meetings with the Chairperson's permission.

Commission on the Rights of the Child under the Government of the Republic of Tajikistan.

The National Commission on the Rights of the Child was established in 2001 to assist in the implementation of national legislation and Tajikistan's international legal obligations in protecting children's rights. The Commission is supervised by the Department for Youth, Sports and Tourism of the Executive Office of the President.

In January 2017, the Government approved a new Regulation creating the Commission on the rights of the child as a permanent inter-ministerial responsible for coordinating the activities of state bodies in fulfilling Tajikistan's international obligations regarding children's rights. The Commission is also responsible for implementation of state policy in the sphere of child's rights protection and regulates issues related to education and parenting.

The regulation granted the Commission broad powers on the promotion and protection of the rights of the child. The Commission has its own secretariat, and regional and district level branches. The Commission organizes its work in six thematic expert groups including: compliance with the Convention on the Rights of the Child; deinstitutionalization; juvenile justice; children with special needs, etc. Representatives of civil society organizations may join the Commission after recommendation by the Chairperson and approval by other Commission members. In order to ensure public participation in the work of the Commission, civil society representatives are periodically changed. Representatives of other concerned bodies, including the United Nations Children's Fund and other international organizations working in the field of child rights can participate in the work of the Commission in an advisory capacity.

The Commission conducts the following tasks related to the implementation of the international obligations in the sphere of child rights protection:

- participation in the preparation of normative legal acts and programs related to the protection of children's rights, improvement of living conditions, education, work and rest, prevention of neglect, homelessness and juvenile delinquency;
- Monitoring the implementation of legislation and state programs on protection of children's rights.
- facilitation of the process of bringing national legislation in line with international child rights obligations set out in treaties ratified by Tajikistan;
- providing assistance with ratification of or accession to international treaties in the sphere of child rights protection ;
- evaluating the effectiveness of Tajikistan's participation in international treaties in the field of protection of the rights of the child;
- consideration and preparation of advisory opinions on draft international documents and regulatory legal acts related to protection of the rights of the child;
- dissemination of information on national and international standards on child rights
- researching, reporting and proposing improvements to child rights standards;
- coordinates the process of preparation of National reports of the Republic of Tajikistan on the implementation of international treaties in the sphere of child's rights protection, ratified by Tajikistan are their submission to the relevant UN treaty bodies;
- initiation of measures for the timely implementation of recommendations and from UN body or other international organizations, including establishing working groups, developing national action plans and monitoring;
- other tasks, as set out in legal acts.

The National Commission on the Rights of the Child was established by the Government of the Republic of Tajikistan, which also determines its number and composition:

1. Deputy Prime Minister - Chairperson of the Commission;
2. Head of the Child Rights Protection Unit, Department of Human Rights Guarantees under the Executive Office of the President - Deputy Chairperson of the Commission;
3. Senior Specialist of the Child Rights Protection Unit, Department of Human Rights Guarantees under the Executive Office of the President- Executive Secretary of the Commission;
4. Head of the Department of Human Rights Guarantees of the Executive Office of the President;

5. Head of the Legal Department of the Executive Office of the President;
6. Head of the Department of Science and Education of the Executive Office of the President;
7. Head of the Department of Social Development of the Executive Office of the President ;
8. Head of the Committee for Religious Affairs and Regulation of National Traditions, Ceremonies and Rituals of the Executive Office of the President;
9. First Deputy Director of the Drug Control Agency under the President;
10. First Deputy Director of the Agency for Statistics under the President;
11. First Deputy Minister of Justice;
12. First Deputy Minister of Finance;
13. First Deputy Minister of the Interior;
14. First Deputy Minister of Education and Science;
15. First Deputy Minister of Labor, Migration and Employment;
16. First Deputy Minister of Health and Social Protection;
17. First Deputy Chairperson of the Committee on Women and Family Affairs under the Government;
18. First Deputy Chairperson of the Committee on Youth, Sports and Tourism under the Government;
19. First Deputy Chairperson of the Committee on Television and Radio under the Government ;
20. First Deputy Chairperson of the Committee on Religious Affairs and Regulation of National Traditions, Ceremonies and Rituals under the Government.

Tajikistan's Human Rights Ombudsman and Deputy Human Rights Ombudsman - the Children's Rights Ombudsman can participate in meetings of the National Commission on the Rights of a Child with the right to vote.

Representatives of civil society may attend the meetings of the Commission in an advisory capacity with the Chairperson's consent.

Department of Human Rights Guarantees of the Executive Office of the President of the Republic of Tajikistan.

The Commission Secretariat (Executive secretary) is the Department of Human Rights Guarantees of the Executive Office of the President of the Republic of Tajikistan (hereinafter, the Department of Human Rights Guarantees). Department representatives also carry out the tasks of Deputy Chairmen of both Commissions, and Department Senior specialists act as Executive secretaries to the Commissions.

The Secretariat provides administrative support for the Commission: preparation of materials for meetings; organization of interaction between state bodies, international organizations and civil society working on human rights protection. The Secretariat also prepares inquiries to state bodies responsible for implementing the recommendations of UN Treaty bodies, as well as other issues related to the human rights protection.

Human Rights Liaison Officers

The ministries and other state bodies provide information for the preparation of reports to UN bodies, and are involved in processes for the implementation of recommendations.

On 26 January 2016, the Tajikistani Government adopted a Decree “On the results of the socio-economic development of the Republic of Tajikistan in 2015 and the tasks for 2016”, which states persons will be identified to oversee the “timely and effective implementation of recommendations of the UN bodies, as well as other issues related to human rights protection”.

An instruction of 20 September 2016 from the Chairperson for the Commission on the implementation of international human rights obligations, tasked ministries, departments and local executive authorities with identifying a state official to act as human rights officer responsible for implementing the recommendations of UN bodies and other issues related to human rights protection. A separate state unit responsible for human rights was not created. Other state officials should also be actively involved in implementing of UN recommendations, and human rights protection. This further contribute to the effective interdepartmental, and where necessary, multi-sectoral coordination. The Liaison officers, in cooperation with the Commission on the implementation of the human rights obligations, build on human rights activities and contribute to sustainability, continuity, capacity building, and centralizing the process of gathering information, as well as conducting professional training.

By 2016, almost all ministries and state departments had appointed their respective Human Rights Liaison officers (one or two persons in each department), responsible for gathering and processing information on human rights, and liaison with the Commission Secretariat. The state agencies’ involvement in the reporting process may vary according to the treaty body report being prepared for. However, some ministries and departments are involved in the preparation of almost all UN reports. These include the Ministry of Justice, the General Prosecutor's Office, and the Committee on Women and Family Affairs.

The reporting process varies from department to department. For instance, the Minister of Justice has adopted a Work Plan for implementation of the UN Treaty bodies recommendations, which includes a timetable and responsible persons. The Human Rights Unit of the Department of International Relations supervises this process. Individual officials are appointed to be responsible for each of the different human rights documents. Every department has its own work plan which contains activities and a timetable for implementation. The responsible officers report directly to the Deputy Minister of Justice.

The Head of the International Relations and Legal Advocacy Department of the General Prosecutor's Office is responsible for implementation of the human rights obligations within the Prosecutor’s Office. Different departments are responsible for collecting information for separate treaty body reports. For example, the General Supervision Department is responsible for reporting on ICCPR and ICESCR, the Division for the Supervision of the Implementation of Laws on Juveniles and Youth is responsible for CRC, and so forth. The human rights liaison officer is responsible for reviewing and summarizing the information.

At the time of writing, not all ministries and departments have established systems for collecting and processing information. As a result information is often not provided in a timely manner, is often incomplete and of poor quality.

The interaction between Ministerial and Departmental Human Rights Liaison officers , as well as between the human rights officials and the Secretariat has not yet been established systematically.

National human rights institutions

In April 2012, the Ombudsman for Human Rights was accredited with B status by the Subcommittee on Accreditation (SCA) of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights. The SCA issued recommendations concerning the role of the Human Rights Ombudsperson in the implementation of Tajikistan's international human rights obligations.

The SCA recommended that the national human rights institution include the function of *encouraging the ratification or accession to international human rights instruments*, as set out in o the Paris Principle A. 3 - (c) and its general comment 1. 3.

In accordance with the amendments to the 2016 law “On the Human Rights Ombudsperson in the Republic of Tajikistan”⁵, the functions of the Human Rights Ombudsperson were amended to include “promoting ... ratification of or accession to international human rights instruments”.⁶

The SCA also noted that the Human Rights Ombudsman participated under the Universal Periodic Review (UPR) as part of the government delegation, which compromised the Office's independence. It underlined the importance of national human rights institutions' engagement with the international human rights system, in particular, the Human Rights Council and its mechanisms (special procedures and UPR), as well as treaty bodies, in a way that demonstrates the body's independence. This includes by the provision of independent reports (shadow reports) and follow-up activities at the national level on recommendations on the implementation of international legal commitments on human rights.

In Tajikistan, the Law on the Human Rights Ombudsman does not explicitly provide that the Ombudsperson will prepare national reports to UN human rights bodies, although in Article 25 it provides that the Ombudsperson should prepare **special reports**, it limits the range of bodies to which these can be sent. UN structures are not included in the list of recipients.

At the moment, neither the Human Rights Ombudsman, nor the Child Rights Ombudsman are a permanent members of the Governmental Commission on Human Rights and the National Child Rights Commission, and can only participate in meetings in an advisory capacity. As such, they can perform, inter alia, the functions of monitoring the implementation of international human rights obligations, as well as monitoring the effectiveness of the Commission.

⁵ ЗРТ от 15.03.2016 г., №1281

⁶ См. ст. 11 пункт 1 «ё» Закона РТ «Об Уполномоченном по правам человека в Республике Таджикистан».

Currently, employees of the Ombudsperson's Office are included in working groups for the preparation of national reports for UN procedures, as well as working groups on the implementation of the UN Treaty body recommendations.

Until 2016, the Human Rights Ombudsman was part of the official Government delegation in the course of interactive dialogues with the UN bodies (UPR, UN treaty bodies). Since 2017, the Human Rights Ombudsman and the Child Rights Ombudsman attend the meetings of the UN Human Rights Committees (Committee on the Elimination of Racial Discrimination - August 2017, Committee on the Rights of the Child - September 2017, Committee against Torture - May 2018) as independent observers. In the process of reviewing Tajikistan's third periodic reports on the implementation of the Convention against Torture, the UN Committee against Torture invited the Human Rights Ombudsman to attend a separate closed meeting with the members of the Committee.

Thus, over the past five years, Tajikistan's legal framework on mechanisms for fulfilling international human rights obligations has been considerably improved. Positive steps include: a) the goals and tasks of government commissions on specific human rights issues have been defined; b) activities have been consolidated by merging separate Commission secretariats into one department; c) the composition and authority of the Commission's Secretariat has been expanded; d) Human Rights Liaison Officers have been appointed in ministries and departments, and given clear roles and responsibilities, and e) mechanisms of interaction and cooperation between state bodies and the Commission Secretariat has been established.

The Government Commission on the implementation of international human rights obligations and the Department of Human Rights Guarantees of the Executive Office as a **national mechanism for the report preparation and follow-up activities**. At the moment, the Department of Human Rights Guarantees performs the functions that are defined for national mechanisms, such as interaction and coordination of collecting, processing and managing information and consultations.

In accordance with the recommendations of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights, the Human Rights Ombudsman was excluded from the Commission, and has the right, together with the Child Rights Ombudsman, to participate in the Commission's meetings in an advisory capacity.

Representatives of civil society have the right to participate in meetings of the Commission in an advisory capacity. Civil society representatives participate on a rotation basis, in order to ensure wide public participation in the work of the Commission.

Chapter 3. UN TREATY BODIES: REPORTS SUBMISSION

The reporting system aims to provide a coordinated process which allows States to meet their reporting obligations of all the international human rights treaties to which they are a party.

State parties should see the process of preparing their reports for the treaty bodies not only as the fulfillment of their international obligations, but also as an opportunity to take stock of the state of human rights protection within their jurisdiction, for the purpose of policy planning and implementation. The report preparation process thus offers an occasion for each State party to:

- (a) Conduct a comprehensive review of the measures it has taken to harmonize national law and policy with the provisions of the relevant international human rights treaties to which it is a party;
- (b) Monitor progress made in promoting the enjoyment of the rights set forth in the treaties in the context of the promotion of human rights in general;
- (c) Identify problems and shortcomings in its approach to the implementation of the treaties; and
- (d) Plan and develop appropriate policies to achieve these goals⁷.

The common core document

All State party reports should consist of two parts: a common core document and the treaty-specific document, according to its own procedures.

The Common core document should contain general and factual information regarding the implementation of treaties to which the reporting State is a party, and which may relate to all or several treaty bodies.

A common core document can be divided into three sections and include the following information:

- 1) General factual and statistical information relevant to assisting the committees in understanding the political, legal, social, economic and cultural context, in which human rights are implemented in the State concerned: a) Demographic, economic, social and cultural characteristics of the State; b) Constitutional, political and legal structure of the State;
- 2) General framework for the protection and promotion of human rights: c) acceptance of international human rights norms; d) legal framework for the protection of human rights at the national level; e) framework, within which human rights are promoted at the national level; f) reporting process at the national level; g) Other related human rights information.
- 3) Information on non-discrimination and equality, and effective remedies to ensure this⁸.

States should keep their common core documents up-to-date. States should endeavor to update the common core document whenever they submit a treaty-specific document. If no update is considered necessary, this should be stated in the treaty-specific document.

⁷ Compilation of guidelines on the form and content of reports to be submitted by states parties to the international human rights treaties. .

⁸ Idib

Tajikistan submitted its common core report on 12 February 2004. The document contains information on the territory and population of the country, a brief historical overview and the political structure of the state, information on legal mechanisms for protecting human rights, international and regional human rights instruments, which have been ratified by the state, as well as information regarding the process of dissemination of information about human rights. At the moment, there is a need to update a considerable part of the common core report. The UN treaty bodies also drew attention to this while considering Tajikistan's reports on international human rights obligations. Thus, the UN Child Rights Committee recommended Tajikistan “to submit an updated core document, [...] in accordance with the requirements for the common core document contained in the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (see HRI/GEN/2/Rev.6, chapter I) and paragraph 16 of General Assembly resolution 68/268”⁹. Committee on the Elimination of Racial Discrimination also recommended Tajikistan “to update its common core document submitted in 2004 (HRI/CORE/1/Add.128) in accordance with the harmonized guidelines on reporting under the international human rights treaties (HRI/GEN/2/Rev.6, chap. I)”¹⁰.

Periodic reports

Each State party undertakes to submit an initial report on the measures in place or measures taken to give effect to that the particular treaty’s provisions. This shall be implemented within a specified period after the treaty’s entry into force for the reporting State. Thereafter, the State party is required to submit further reports periodically, in accordance with the provisions of each treaty, on the progress made during the reporting period. The frequency of reports varies from treaty to treaty.

To assist State parties in the process of preparing and submitting reports, guidelines have been developed regarding the form and content of reports submitted by States parties to international human rights treaties.

Thus, the information provided should be concise and orderly, should not exceed 40-60 pages (common core and initial reports should be maximum 60 pages, and initial treaty-specific documents should not exceed 60 pages, and subsequent periodic documents should be limited to 40 pages. Pages should be formatted for A4-size paper, with 1.5 line spacing, and text set in 12 point Times New Roman type¹¹.

As already noted in a previous study, starting in 2004, the country, although belatedly, reported on all human rights treaties (see table 3).

⁹ see CRC/C/TJK/CO/3-5. Concluding observations of CRC on the combined third to fifth periodic report of Tajikistan, published on October 25, 2017. P. 53

¹⁰ CERD/C/TJK/CO/9-11. Concluding observations of CERD on the combined ninth to eleventh periodic reports of Tajikistan were published on September 9, 2017. p. 34.

¹¹ For more details, please see Compilation of guidelines on the form and content of reports to be submitted by states parties to the international human rights treaties. .

Table 3. Tajikistan's delay in submitting reports to the UN Treaty Bodies

№	Name of the document	Deadline for the initial report	Initial report reviewed	Overdue
1.	CERD	1996	2004	8 years
2.	ICESCR	2000	2006	6 years
3.	ICCPR	2000	2005	5 years
4.	CEDAW	1994	2007	13 years
5.	CAT	1996	2006	10 years
6.	CRC	1997	2000	3 years
6.1.	OP-CRC-AC	2004	2017	13 years
6.2.	OP-CRC-SC	2004	2017	13 years
7.	ICRMW	2004	2012	8 years

For the period from 2011-2018, Tajikistan significantly changed the practice of preparing and submitting reports to the treaty bodies. Tajikistan submitted all overdue reports. Thus, in 2017, the Committee on the Rights of the Child reviewed the initial progress reports on the implementation of two optional protocols on which information has not been provided since 2004. At the time of preparation of the present study, Tajikistan has no overdue reports under any of the ratified international human rights instruments.

CHAPTER 5. UN TREATY BODIES: INDIVIDUAL COMMUNICATIONS

Tajikistan is a member of the Optional Protocol to the International Covenant on Civil and Political Rights since April 3, 1999 and a member of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women since 22 July 2014.

As of 1 June 2018, the UN Committee on Human Rights had registered 35 individual communications, out of which in 23 cases, the Committee recognized violations of the rights stipulated by the International Covenant on Civil and Political Rights. In 3 cases, the Committee declared communications inadmissible, and follow-up activities in regard of 4 communications was terminated. The Committee continues negotiations with the Government on 5 communications.

The Committee on the Elimination of Discrimination against Women has not registered individual communications against the Republic of Tajikistan.

Since the preparation of the previous study, no steps have been taken to develop a mechanism for implementing the decisions of the UN bodies on individual communications, although this issue has been repeatedly raised during various forums, meetings and during national consultations.

Since 2012, the Committee has considered two communications regarding Tajikistan: 1) Communication No. 1500/2006, submitted by M.N. et al. v. Tajikistan, in which the author reported about persecution and discrimination based on political opinion, violation of freedom of expression and freedom of association, and violation of the right to be elected. The Committee found the communication inadmissible as insufficiently substantiated. 2) Communication No. 2173/2012, Juraboy Boboev v. Tajikistan, in which it was alleged that torture was used during the detention, which resulted in death, as well as the failure to conduct an effective investigation into allegations of torture. The committee examined the case and found that Tajikistan violated Ismonboy Boboev's rights enshrined in article 6, paragraph 1 (right to life) and paragraph 7 (freedom from torture), considered separately, and in conjunction with article 2, paragraph 3 (conducting an effective investigation), of the Covenant, as well as a violation of the author's rights enshrined in article 7 (ill-treatment), considered separately and in conjunction with article 2, paragraph 3 (in connection with the failure to conduct an effective investigation into the death of his son) of the Covenant.

On 30 November 2016, the Human Rights Committee adopted Guidelines on measures of reparation under the Optional Protocol to the International Covenant on Civil and Political Rights. When the Committee finds that an individual communication reveals violations of Covenant rights, it sets out measures designed to make full reparation to the victims (restitution, compensation, rehabilitation and measures of satisfaction), as well as measures aimed at preventing the reoccurrence of similar violations in the future (guarantees of non-repetition).

Restitution is envisaged in order to restore violated rights, for example, the victim's reinstatement in employment that was lost as a result of the violation committed, or in cases involving deprivation of liberty, either review the case or release the person in question.

Rehabilitation – should include the means for as full a rehabilitation as possible. If so, the Committee indicates that the State party is to provide the victim or his or her family, as appropriate, with medical or psychological treatment, or the funds to pay for such treatment.

Compensation - as a general rule, the Committee does not specify sums of money, while expressly state that compensation should cover both material and moral (or non-material) harm.

Measures of satisfaction include the following elements: (a) recognition of violations by the Committee constitutes in and of itself a form of reparation; (b) the Committee may request to conduct investigations into acts that have been found to constitute violations of rights under the Covenant. Such investigations must be prompt, thorough and impartial and that the perpetrators must be brought to justice; (c) the Committee may request the States parties take measures to commute, reduce or not enforce a sentence; (d) the Committee may request that States parties provide information on the burial site of persons who were sentenced to death and executed; (e) the Committee may request that States parties issue a public apology, particularly in cases of grave or systematic violations where the injury cannot be fully redressed by restitution or compensation only; (f) other measures of satisfaction, for example, the possibility of having a monument built, putting up a commemorative plaque or changing the name of a street or other public place in cases involving grave or systematic violations.

Guarantees of non-repetition - are general in scope and are essential in order to prevent future human rights violations of the type that gave rise to the communication considered by the Committee. For example, (a) when laws or regulations in the State party are found to be at variance with Covenant obligations, the Committee should request their repeal or amendment to bring them into accordance with the Covenant. The Committee should specify which laws or regulations or which provisions of a law or regulation should be amended, while identifying the proper international legal standards applicable. If the violation stems from the absence of certain legal provisions, the measures of reparation should include the adoption of the necessary laws or regulations; (b) improvements in conditions in places of detention, in accordance with international standards; (c) changes in official procedures and practices; (d) measures for training and raising the awareness of the authorities responsible for the violations, including law enforcement officers, members of the judiciary and medical and administrative personnel, as appropriate, in order to avoid repetition of violations such as those that gave rise to the communication in question¹².

In the case of *Boboev v. Tajikistan*, the Committee recommended that Tajikistan should take appropriate steps to: (a) conduct a prompt and impartial investigation into torture and the death of Ismonboy Boboev, and to prosecute and punish those responsible; (b) keep the author informed at all times about the progress of the investigation; (c) provide the author with compensation for the loss of his son's life, for the torture that his son suffered, and for the pain and anguish that he suffered as a result of his son's death. The State party is also under an obligation to take all steps necessary to prevent similar violations from occurring in the future. At the time of preparation of this document, the recommendations of the Committee had not been implemented.

It should be noted that **none of the decisions of the Human Rights Committee** on individual communications **have been implemented by Tajikistan**.

In July 1990, the Human Rights Committee established the mandate of **Special Rapporteur for follow-up on Views** in accordance with the article 5, paragraph 4, of the Optional Protocol. The Special Rapporteur requests follow-up information from States parties.

The Special Rapporteur tried to negotiate with representatives of Tajikistan, both directly through personal meetings and through written communication. In 2013, the Human Rights Committee suspended or terminated the follow-up dialogue with Tajikistan in connection with the unsatisfactory implementation of its recommendations on all individual communications received before 2013¹³:

- 964/2001, *Saidov* - The Committee decided to suspend the follow-up dialogue, with a finding of a non-satisfactory implementation of its recommendation. (see A/67/40, chapter VI);

¹² See UN Human Rights Committee. Guidelines on measures of reparation under the Optional Protocol to the International Covenant on Civil and Political Rights. CCPR/C/158, 30 November 2016

¹³ UN HRC report 2012. A/68/40 (VOL II, part 2)

- 973/2001, *Khailov* - The Committee decided to suspend the follow-up dialogue, with a finding of a non-satisfactory implementation of its recommendation. (see A/67/40, chapter VI);
- 985/2001, *Aliboyev* - The Committee decided to suspend the follow-up dialogue, with a finding of a non-satisfactory implementation of its recommendation. (see A/67/40, chapter VI).
- 1042/2002, *Boymurodov* - The Committee decided to suspend the follow-up dialogue, with a finding of a non-satisfactory implementation of its recommendation. (see A/67/40, chapter VI)
- 1044/2002, *Nazriev*, 1096/2002, *Kurbanov* - The Committee decided to suspend the follow-up dialogue, with a finding of a non-satisfactory implementation of its recommendation. (see A/67/40, chapter VI).
- 1108 и 1121/2002, *Karimov, Askarov and Davlatov* - The Committee decided to suspend the follow-up dialogue, with a finding of a non-satisfactory implementation of its recommendation. (see A/67/40, chapter VI).
- 1117/2002, *Khomidova* - The Committee decided to suspend the follow-up dialogue, with a finding of a non-satisfactory implementation of its recommendation. (see A/67/40, chapter VI)
- 1195/2003, *Dunaev*, 1200/2003, *Sattarova* - The Committee decided to suspend the follow-up dialogue, with a finding of a non-satisfactory implementation of its recommendation. (see A/67/40, chapter VI).
- 1208/2003, *B. Kurbanov* - The Committee decided to suspend the follow-up dialogue, with a finding of a non-satisfactory implementation of its recommendation. (see A/67/40, chapter VI).
- 1209/2003, 1231/2003 and 1241/2004, *Rahmatov, Safarov, Salimov and Muhammadiyev*, A/63/40 - The Committee decided to suspend the follow-up dialogue, with a finding of a non-satisfactory implementation of its recommendation. (see A/67/40, chapter VI).
- 1263/2004 and 1264/2004, *Khuseinov and Butaev* - The Committee decided to suspend the follow-up dialogue, with a finding of a non-satisfactory implementation of its recommendation. (see A/67/40, chapter VI).
- 1276/2004, *Idiev* - The Committee decided to suspend the follow-up dialogue, with a finding of a non-satisfactory implementation of its recommendation. (see A/67/40, chapter VI)
- 1348/2005, *Ashurov* - The Committee decided to suspend the follow-up dialogue, with a finding of a non-satisfactory implementation of its recommendation. (see A/67/40, chapter VI).
- 1401/2005, *Kirpo*, - The Committee decided to suspend the follow-up dialogue, with a finding of a non-satisfactory implementation of its recommendation. (see A/67/40, chapter VI)
- 1499/2006, *Iskandarov*, 1519/2006, *Khostikoev* - The Committee decided to suspend the follow-up dialogue, with a finding of a non-satisfactory implementation of its recommendation. (see A/67/40, chapter VI)

CHAPTER 6. HUMAN RIGHTS COUNCIL - SPECIAL PROCEDURES

6.1. COUNTRY VISITS

As already noted in Chapter 1 Special Procedures visit particular countries or territories in order to monitor the situation on the ground. The visit occurs at the invitation of a State. It should be noted that the Government of Tajikistan **provides invitations upon receiving such requests from the special procedures.**

In some cases, a country may issue an “Open Invitation” to all special procedures. As of June 2018, **the Republic of Tajikistan has not done this.**

Since 2005, seven Special Rapporteurs have visited the country:

№	Special procedure	Dates of visit	Report
	Report of the Special Rapporteur on the independence of judges and lawyers, Mr. Leandro Despouy	23-30 September 2005	<u>E/CN.4/2006/52/Add.4 30 December 2005 Доклад Специального докладчика по вопросу о независимости судей и адвокатов.</u>
	Report of the Special Rapporteur on freedom of religion or belief, Ms. Asma Jahangir	26 February- 1 March 2007	<u>A/HRC/7/10/Add.2 27 November 2007 Специальный докладчик по вопросу о свободе религии или убеждений.</u>
	Report of the Special Rapporteur on Violence against Women, Its Causes and Consequences, Yakin Ertürk	May 2008	<u>A/HRC/11/6/Add.2 26 May 2009 Доклад Специального докладчика по вопросу о насилии в отношении женщин, его причинах и последствиях.</u>
	Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Juan E. Mendes	10–18 May 2012	<u>A/HRC/22/53/Add.1 28 January 2013 Доклад Специального докладчика по вопросу о пытках и других жестоких, бесчеловечных или унижающих достоинство видах обращения и наказания Хуана Э. Мендеса.</u>
	Report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, Anand Grover	24–31 May 2012	<u>A/HRC/23/41/Add.2 2 May 2013 Доклад Специального докладчика по вопросу о праве каждого человека на наивысший достижимый уровень физического и психического здоровья Ананда Гровера.</u>
	Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or	10-12 February 2014	<u>A/HRC/28/68/Add.2 5 February 2015 Доклад Специального докладчика по вопросу о пытках и других жестоких,</u>

	punishment, Juan E. Mendes (Additional report)		<u>бесчеловечных или унижающих достоинство видах обращения или наказания, (Дополнительный доклад).</u>
	Report of the Special Rapporteur on the Human Right to Safe Drinking Water and Sanitation Leo Heller on his mission to Tajikistan	4-12 August 2015	<u>A/HRC/33/49/Add.2 13 July 2016 Доклад Специального докладчика по вопросу о праве человека на безопасную питьевую воду и санитарные услуги о его миссии в Таджикистан.</u>
	Report of the Special Rapporteur on the right to freedom of opinion and expression David Kaye, on his mission to Tajikistan	3-9 March 2016	<u>A/HRC/35/22/Add.2 13 October 2017, Доклад Специального докладчика по вопросу о праве на свободу мнений и их свободное выражение о его миссии в Таджикистан.</u>

Four special Rapporteurs have visited Tajikistan since 2012 . The Special Rapporteur on torture, Mr. Juan Mendez, visited the country twice for a first visit and then a follow-up visit.

At the time of writing, Tajikistan has failed to take effective measures to ensure the implementation of the recommendations of the Special Procedures. In only one case were the recommendations of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment following a visit in 2012 included in the National Action Plan. This, inter alia, is due to the fact that the publication of the report coincided with the recommendations of the Committee against Torture, which were provided after the consideration of Tajikistan’s second periodic report on the implementation of the Convention against Torture in November 2012.

6.2. INDIVIDUAL COMPLAINTS, COMMUNICATION WITH THE GOVERNMENT

For the period from 2012, Tajikistan’s Government received four communications from the UN Special Rapporteurs. The Government provided detailed responses to three of the communications but in one the response was delayed and.

The Special Rapporteur on the Situation of Human Rights Defenders and the Special Rapporteur on Torture and other Cruel, Inhuman or Degrading Treatment or Punishment received responses to three communications regarding a) allegations of torture and subsequent death of an inmate at Dushanbe’s penal colony No. 1; harassment and other cruel, inhuman or degrading treatment or punishment (in the case of Ikromzoda); b) Alleged arrest, detention and enforced disappearance of a doctorate student and journalist Alexander Sodiqov; and c) alleged arbitrary arrest, detention and prosecution based on false charges of a human rights lawyer Shukhrat Kudratov.

The Special Rapporteur noted with satisfaction the government’s detailed responses to the three communications sent during the reporting period, in particular the in-depth analysis of the

national and international legal norms that are relevant to the cases. At the same time, he expressed concern regarding: a) reports of reprisals, including torture and false charges, against human rights defenders due to their cooperation with international human rights mechanisms (witnesses of the death of Ikromzoda); b) the fact that, although the authorities had released Mr. Sodiqov on bail and allowed him to return to Canada, they did not close the criminal case against him for the legitimate and peaceful exercise of his rights to freedom of expression and opinion, and to the freedom of association in the context of his research; and c) the arrest and sentencing of human rights lawyer Mr. Shukhrat Kudratov, believed to be in relation for his legitimate human rights work, and the fact that he represented members of the opposition and activists, among others.¹⁴

In his report from 30 May 2013 the UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and Association regretfully noted that no reply had been received to the communication of 20 November 2012. The Rapporteur stated that responses to communications are an important part of the cooperation with national governments, and urged the authorities to provide detailed responses to all the concerns raised in his communication as soon as possible. The Special Rapporteur expressed concern about the closure of the Association of Young Lawyers of Tajikistan (Amparo), allegations received pointing to the lack of transparency and clear procedural guidelines regarding the conduct of the audit of Amparo, as well as significant irregularities in the auditing process itself.

The Special Rapporteur urged the authorities to take all relevant measures to ensure that any individual and legal entity can peacefully exercise its rights of freedom of peaceful assembly and of association. The Rapporteur called for a thorough and independent investigation into any allegations of any alleged human rights violations, including acts of intimidations or harassments, committed against those exercising their rights to freedom of peaceful assembly and of association with those responsible held accountable; and the victims provided with full redress.¹⁵

CHAPTER 9: NATIONAL ACTION PLANS FOR THE IMPLEMENTATION OF UN BODIES' RECOMMENDATIONS

Since 2013, Tajikistan's Government has adopted a number of national action plans to implement UN body recommendations. Thus, on 3 April 2013, the President approved the National Plan on the implementation of recommendations of the UN Council Member States, in connection with the Universal Periodic Review of Tajikistan for 2013-2015. National action plans include recommendations, activities for their implementation, timelines, agencies responsible, sources of funding, and outcomes.

In addition to the National Action Plan on UPR, the following plans were adopted during the period :

¹⁴ A/HRC/28/63/Add.1. 4 March 2015. Report of the Special Rapporteur on the situation of human rights defenders, Michel Forst. Observations on communications transmitted to Governments and replies received. Par. 441-446

¹⁵ A/HRC/23/39/Add.2. 30 May 2013. Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Maina Kiai. Observations on communications transmitted to Governments and replies received. Par. 390-395

- National Plan of Action for the implementation of recommendations of the UN Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families for 2013 - 2017 from 28 June 2013.
- National Plan of Action to Combat Torture based on the recommendations of the UN Committee against Torture and the UN Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment Juan Mendez (2013).
- National Action Plan on Concluding Observations regarding the sixth and eighth Periodic Reports of Tajikistan adopted by the Committee on the Elimination of Racial Discrimination at its eighty-first session (from 14 November 2013).
- National Action Plan for the implementation of recommendations of the UN Committee on the Elimination of Discrimination against Women to the combined fourth and fifth periodic report of Tajikistan (2014).
- National Action plan for the implementation of recommendations of the UN Human Rights Committee to the Second Periodic Report of the Republic of Tajikistan on the implementation of the International Covenant on Civil and Political Rights (2014).
- National Action Plan for the implementation of recommendations from the UN Committee on Economic, Social and Cultural Rights for 2015-2020 (2015).
- National Action Plan for the implementation of recommendations of member states of the UN Human Rights Council according to the procedure of the Universal Periodic Review (second period) for 2017-2020. (2017).
- National Action Plan on the implementation of recommendations on the combined third and fifth periodic progress report on the implementation of the Convention on the Rights of the Child for 2018-2022 (2018).
- National Action Plan on the implementation of recommendations on the initial progress report on the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography for 2018-2022.
- National Action Plan on the implementation of recommendations on the initial progress report on the implementation of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict for 2018-2022 (2018).

The action plans set out measures for implementing the recommendations, as well as deadlines and state bodies responsible (the state body indicated at the top of column “executor” is the main coordinating body for the recommendations’ implementation). It is worth noting that the activities indicated in the action plans are not always detailed, there are not always clear indicators, or details about monitoring and evaluation.

Although national action plans have been adopted for each UN body the issue of repeated recommendations has not been resolved.

Apart from the Special Rapporteur on Torture, there are no other action plans on the implementation of recommendations from UN special procedures.

Unified National Human Rights Strategy

The Government of Tajikistan is convinced that legislation alone is not enough to ensure the necessary protection of human rights, and that there is a need to develop and adopt state

policies, improve state institutions and take comprehensive measures. On 7 June 2017 the President of Tajikistan approved the adoption of the National Plan of Action on implementation of the recommendations of the UN Council member-states in accordance with the UPR procedure for 2017-2020, which provides for the development and adoption of Tajikistan's National Human Rights Strategy until 2025.

An interdepartmental Working Group was established to oversee this initiative and develop a draft National Strategy. The Strategy will determine the long-term goals and objectives for the Government in the field of human rights, consider the development of a progressive and unified inter-sectoral policy aimed at strengthening the human rights protection in state bodies and promoting good governance in the country as a whole. The National Strategy will incorporate UN Treaty body recommendations to Tajikistan on human rights issues over 2010-2018.

CHAPTER 10. DISSEMINATION OF INFORMATION

State parties are required to disseminate information about the international human rights instruments that they have ratified, and ensure that Treaty Body the concluding observations or recommendations are disseminated widely. In their concluding observations, several UN human rights committees recommended that Tajikistan disseminate information about the National reports and recommendations to both state bodies and the general public. For example, the UN Committee on the Rights of the Child recommended Tajikistan disseminate the report, the written replies to the list of issues and the concluding observations “including through the Internet, to the public at large, civil society organizations, youth groups, professional groups and children [...]”.¹⁶ Similar recommendations on the wide dissemination of information, including in Tajik, were made by the Committee on Social, Economic and Cultural Rights,¹⁷ the UN Human Rights Committee,¹⁸ the CEDAW Committee¹⁹, as well as the Committee of the Rights of the Migrant workers.²⁰

Currently, a number of state agency websites periodically publish information about human rights documents. Among these are the Ministry of Foreign Affairs, the Human Rights Ombudsman and the Children's Rights Ombudsman (all international instruments related to the rights of the child).

In 2015, with the support of the Regional Office of the UN High Commissioner for Human Rights for Central Asia, the website of the Commission on the Implementation of International Human Rights obligations was developed. The site contains the most complete information about

¹⁶ CRC/C/OPAC/TJK/CO/1 Concluding observations on the report submitted by Tajikistan under article 8 (1) of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, published on 1 November 2017, p 34 and CRC/C/OPSC/TJK/CO/1 Concluding observations on the report submitted by Tajikistan under article 12 (1) of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, published on 3 November 3 November 2017. p. 3

¹⁷ E/C.12/TJK/CO/2-3. Concluding observations on the combined second and third periodic reports of Tajikistan adopted on 6 March 2015 and published on 25 March 2015, p. 38

¹⁸ CCPR/C/TJK/CO/2. Concluding observations on the second periodic report of Tajikistan, adopted on 23 July 2013 and published on 22 August 2013., p. 26

¹⁹ CEDAW/C/TJK/CO/4-5. Concluding observations on the combined fourth and fifth periodic reports of Tajikistan of the Committee on the Elimination of Discrimination against Women, adopted on 9 October 2013 and published on 29 October 2013, p. 8 a

²⁰ CMW/C/TJK/CO/1. Concluding observations of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, adopted on 26 April 2012 and published 16 May 2012 p. 49

reports, UN body recommendations, national action plans , and also some information on their implementation.

Information is also disseminated during national consultation meetings, where draft national reports, treaty body concluding observations and recommendations, and national human rights action plans are discussed. As a rule, such working meetings are held with the financial support of international donors or non-governmental organizations.

Unfortunately, the concluding observations are not translated into Tajik , nor are they widely distributed among government officials. There is also no requirement to include this information in Official training programmes for state employees.