



**Convention on the Elimination
of All Forms of Discrimination
against Women**

Distr.: General
13 November 2006
English
Original: Russian

**Committee on the Elimination of Discrimination
against Women**

Pre-session working group

Thirty-seventh session

15 January-2 February 2006

**Responses to the list of issues and questions with regard to
the consideration of the combined initial, second and third
periodic reports**

Tajikistan*

* This document is issued without formal editing.



Responses to questions from the United Nations Committee on the Elimination of Discrimination against Women

General

1. The national reports on the status of human rights in Tajikistan were prepared by the Government Commission on Implementation of Tajikistan's International Human Rights Obligations and the Department of Constitutional Human Rights Guarantees in the Office of the President. Information from the following bodies was used in drafting the national report: the Ministry of Justice, the Ministry of Health, the Ministry of Economics and Trade, the Ministry of Agriculture, the Ministry of Internal Affairs, the Ministry of Foreign Affairs, the Ministry of Education, the Ministry of Labour and Social Welfare, the Ministry of Finance, the Ministry of Culture, the State Committee on Statistics, the Committee on Women and the Family, the Committee on Youth, the Committee on Physical Education and Sport, the government Television and Radio Broadcasting Committee, the Supreme Court, the Judicial Council, the Office of the Procurator-General, the Confederation of Trade Unions and the National Bank of Tajikistan.

The national report of the status of the implementation of the Convention on the Elimination of All Forms of Discrimination against Women in the Republic of Tajikistan was the subject of public discussions. Several seminars were held, to which international experts from the United Nations Committee on the Elimination of Discrimination against Women were invited.

The following persons participated in the seminars and round tables held to discuss the national report: members of the Government Commission on Implementation of Tajikistan's International Human Rights Obligations (i.e., deputy ministers and committee chairs), representatives from the Majlis-i Namoyandagon (lower chamber) of the Majlis-i Oli (Parliament), community representatives, i.e., from the Association of Soviet Koreans in Tajikistan (Viktor Kim) and the Association of Soviet Russian Compatriots of Tajikistan (V. V. Dubovitsky), the Association of Uzbeks of Tajikistan (Khabibullo Batyrov), the non-governmental organization Traditions and Modernity (Margarita Khelai), the Panorama Foundation (Tatiana Bozrikova), the Bar Association of Tajikistan, the international law firm Kontrakt (Abduali Abdulloev), Society and the Law (Muatar Khaidarova), the Academy for Peaceful Development (Natalia Alekseevna Kuntuvdy), the Bureau on Human Rights and the Rule of Law (N. Bakhrieva), Society and the Law (Saodat Bobosadykova), representatives of international organizations — the United Nations Tajikistan Office of Peace-Building, the Swiss Cooperation Office in Tajikistan and the Danish Institute for Human Rights — and Hanna Beate Schöpp-Schilling, an international expert and member of the Committee, who was also invited to take part in the discussion.

Articles 1 and 2

2. The principle of equality between men and women is enshrined in articles 14, 17, 33, 35 and 36 of the Constitution.

The Republic of Tajikistan was one of the first members of the Commonwealth of Independent States to ratify the international Convention on the Elimination of All Forms of Discrimination against Women, on 26 June 1993, undertaking thereby to protect women's rights from violation.

To uphold the principles proclaimed in the Convention, Tajikistan has provided for the implementation of its norms and provisions through legislation, including the Constitution, the Criminal Code, the Labour Code and the Family Code.

No court cases have been filed by women who faced discrimination in areas other than those cited in the report on violence.

3. A certain amount of work has been done in Tajikistan pursuant to the Equality and Equal Opportunities for Men and Women (State Guarantees) Act and in carrying out the government programme on key areas of a State policy to ensure equal rights and opportunities for men and women of the Republic of Tajikistan for the period 2001-2010. The same conditions apply to women and men regarding access to education at the general, secondary vocational and post-secondary levels, vocational training and retraining of all kinds, and opportunities to work as teachers and scientists. With regard to women's access to science, it can be noted that in 2006, 316 out of 819 — or 38.5 per cent — of master's students at universities are women, while 6 out of 24 — or 25 per cent — of doctoral candidates are women.

Special gender courses have been added to the curricula of secondary and post-secondary educational and vocational institutions to raise students' awareness of gender issues. Coordinating councils have also been set up at training institutions to deal with gender training, labour and social protection, family planning and the issues of violence and discrimination against women and to carry out the programme for the development of a State human rights training system.

Women have been given preference in appointments to leadership positions in the sphere of education. For example, all 38 higher educational institutions have women deputy vice-chancellors.

Tajikistan's election law gives and guarantees to men and women the equal right to vote and to be voted into elected office.

At the last parliamentary elections to the two houses of Parliament, held in February and March 2005, 14 women were elected.

Under national legislation there are no restrictions on women's membership of electoral commissions. Article 13 of the Majlis-i Oli (Elections) Act, adopted pursuant to the Constitution, states that district electoral commissions on the election of deputies to the Majlis-i Namoyandagon shall be formed on the recommendation of local executive organs, taking into consideration the suggestions of political parties. A similar provision is contained in articles 10 and 12 of the corresponding constitutional act on the election of representatives to local Majlis-i.

In order to assess the need and demand for instruction on gender issues for civil servants, the Tajik Public Servants Further Training Institute conducted a survey of some 600 civil servants in the Sughd and Khatlon provinces. Analysis of the results revealed that the vast majority of civil servants, lack even a rudimentary awareness of gender issues, while many have only vague and superficial ideas about these issues.

In response to the survey results, institute staff prepared an educational programme entitled "State Service and Gender: Action Areas" with five practical teaching modules on the following topics:

- (a) Gender theory: fundamental concepts and ideas;
- (b) Legislative underpinnings of sexual equality in Tajikistan;
- (c) Gender-based analysis of strategies and programmes;
- (d) Gender issues in Tajikistan: women in decision-making, labour and economics;
- (e) Gender-sensitive budgets.

In 2006, instructors from the institute ran outreach courses in the provinces of Kuhistoni Badakhshan, Sughd and Khatlon, at which they trained civil servants in the “State Service and Gender: Action Areas” programme. Some 60 civil servants of various categories attended these outreach courses. Most of the participants were heads of departments dealing with women’s affairs and the chairs or deputy chairs of women’s committees at the national, district and municipal levels. The following also took part in the courses: the deputy chair of the provincial State statistics committee, the deputy chair of the State Property Committee, heads of departments of labour and economics, the head of the budget section of the Department of Finance and specialists from departments dealing with social issues, labour, economics and law.

In June 2006, on the campus of the institute, 50 provincial, district and municipal deputy chairs responsible for dealing with social issues took part in four-week further training courses on gender issues. In their evaluation of the training, seminar and course participants remarked that:

- The gender topics presented were both important and timely;
- They had received useful general knowledge on gender issues and were now prepared to deal with those issues in an informed manner;
- They had a clear, correct idea of the actual equality of men and women;
- They had an idea of the extent to which gender issues had been resolved in Tajikistan;
- Gender must be considered in dealing with any social issue;
- They would apply the knowledge they had acquired in their daily work.

In order effectively to implement the Equality and Equal Opportunities for Men and Women (State Guarantees) Act, the government Committee on Women and the Family has drawn up a draft government programme on developing, selecting and promoting talented girls and women into leadership positions for the period 2007-2017.

Article 3

4. The State Statistics Committee publishes a series of sex-disaggregated statistics in the Statistical Yearbook, compiles sectoral statistical compendiums on education and health and issues social welfare and labour reports and other analytical reports on Tajikistan’s labour market.

A national strategic plan on reproductive health for the period to 2014 was confirmed by decision of the Government in 2004. Its purpose is to improve the reproductive health of the population based on recognition of the reproductive rights

of men and women and their right to be informed about and to have access to safe, effective, affordable and acceptable family planning and childbirth methods and to measures for the prevention of sexually transmitted diseases. Preparation of the plan was dictated by the need to improve the system for taking appropriate demographic factors into account in decision-making and administrative processes within all governmental institutions responsible for economic, environmental and social strategies and programmes and for harmonizing reproductive health indicators for the population.

Implementation of the strategic plan over the past two years (2005-2006) has made possible the more effective realization of the Plan of Action of the Republic of Tajikistan within the framework of the National Demographic Policy Outline and the laws on such issues as reproductive health and reproductive rights, guarantees of equal rights and opportunities for men and women, and iodizing salt. A draft law has been prepared on the protection of breastfeeding and State monitoring of the sale of foods for children and submitted to the Majlis-i Namoyandagon and the Majlis-i Oli for consideration. According to official data for 2005, the proportion of children under six months of age who are fed breast milk exclusively stands at 54.3 per cent. In terms of implementing the social and economic development measures set out in the strategic plan on reproductive health for the period to 2014, particular emphasis was placed on a needs assessment for Tajikistan to achieve the Millennium Development Goals and to give effect to the National Development Strategy (2006-2015), whose main activities will involve building capacity in public administration, developing the private sector and attracting investment, developing human potential with a focus on improving maternal and child health and reproductive health, halting the spread of HIV/AIDS, slowing the spread of infectious diseases and eradicating certain infections that can be controlled by vaccination (poliomyelitis and measles), and improving the availability, quality and effectiveness of medical services for the population.

The government programme on key areas of a State policy to ensure equal rights and opportunities for men and women of the Republic of Tajikistan for the period 2001-2010 is now in operation. In the programmes mentioned above, special emphasis is placed on the issues of women's reproductive health and family planning, especially in the rural areas where over 70 per cent of the country's population live.

Gender problems in the different areas of social and economic life are still a priority in Tajikistan. Various measures have been taken in this connection in recent years, in collaboration with international organizations and institutions. The standards, laws and regulations governing gender issues are being brought into conformity with international recommendations. Gender issues are included in the curricula of institutions of post-secondary and secondary specialist and general schools and other educational establishments.

In the context of implementing the national strategic plan on reproductive health for the period to 2014, steps are being taken across all sectors to introduce a programme to create a healthy lifestyle in Tajikistan by the year 2010. This involves a number of informational and educational measures in different areas of reproductive health, family planning, the prevention of sexually transmitted infections, and the problems of inculcating a healthy lifestyle among the public, with an emphasis on the most vulnerable groups: young people, adolescents,

intravenous drug users, etc. A network of centres is being set up to provide confidential advice and testing for HIV/AIDS and sexually transmitted infections, together with confidential telephone helplines.

5. The Committee on Women and the Family, which dates from 1991, is an independent government agency.

The main function of this Committee is to take forward and implement the policy of improving the position of women throughout society.

The Committee implements State policy geared towards protecting and securing the rights and interests of women in society; creating equal conditions for the realization of their rights and interests and achieving gender balance; increasing women's employment, their participation in social and political life, and their role in resolving social and economic problems and in managing the affairs of the State and of society; coordinating the activities of women's organizations and efforts to resolve the problems of the family; and protecting mothers and children. Within the limits of its terms of reference, and with a view to improving legislation for the protection of women and the family, the Committee prepares draft laws and regulations for consideration by the Government, and monitors their application once they are in force.

The chair and deputy chair of the Committee are appointed and discharged by the Government. The organization of the Committee, its staffing and the salary structure for its 11 staff members are approved by the Government.

The Committee has a section for gender issues.

In addition, coordinators for gender issues work on a voluntary basis in all ministries, and the Committee has branch offices in all local government offices.

6. The problems of sexual equality and of ensuring equal access to resources and economic opportunities and to the means of personal development are of central concern to the Government of Tajikistan.

Sexual equality is guaranteed by the Constitution. There are sound and up-to-date legal underpinnings for measures to ensure sexual equality. Tajikistan is one of the first countries in the Commonwealth of Independent States to have ratified the Declaration on the Elimination of Violence against Women and the Convention on the Political Rights of Women.

Tajikistan has assumed obligations under the Millennium Development Goals and its primary task is to achieve universal primary education and support for sexual equality, to empower women and to improve the health of mothers.

In this sense gender policy lies at the heart of the country's strategies and programmes.

A poverty reduction strategy paper for 2002-2005 has been in effect since 2002. Gender issues, considered as part of the problems of poverty, are a cross-cutting element of the strategy.

Women are part of the most vulnerable population group in Tajikistan. The overwhelming majority of those members of the population living on less than \$2.15 a day are women. This group comprises elderly people (a high proportion of pensioners are women); unskilled manual workers in agriculture, of whom 55.3 per

cent are women; members of families headed by widows or single or divorced mothers; or unemployed people, because women represent over half of those officially registered as unemployed. Of the projects forming part of the poverty reduction strategy paper, priority is given to those aimed at solving gender problems: ensuring that all girls go to school, providing girls in remote areas with access to higher education institutions, by means of a quota system, creating jobs through targeted grants and employment exchanges for women, etc.

The Government is currently developing its national development strategy, which is aligned with the Millennium Development Goals. A separate chapter of the strategy deals with the problems of ensuring sexual equality.

The key priorities for achieving sexual equality are:

- Creating effective mechanisms for implementing gender policy as part of the State administrative reform process;
- Ensuring equal access for women and men to entrepreneurial resources;
- Overcoming sexual inequality in the development of human potential.

It is expected that, by focusing on these priorities, it will be possible to systematize and harmonize the various goals, tasks, mechanisms and measures which are enunciated as forming gender policy with the basic State strategies and programmes for both the longer and the medium term, including those for particular sectors, branches and regions. Institutional mechanisms for implementing gender policy will be improved by making the necessary corrections, additions and amendments to existing legislation and by adopting new laws and regulations. To ensure fuller statistical coverage, a statistical base will be set up for gender analysis and for evaluating the success of the strategies adopted, on the basis of improved gender statistics. The implementation of a range of sectoral measures should heighten gender awareness on the part of government officials at all levels and enhance the role of civil society in implementing gender policy.

The national development strategy is being developed in close collaboration with the Committee on Women and the Family, which has a working group on the issue of ensuring securing sexual equality. The Committee lacks the capacity and resources, however, for it to play a full part in monitoring the implementation of gender policies as well as in planning them.

In particular, the Committee on Women and the Family is unable to conduct regular follow-up of gender issues, carry out a gender analysis of macroeconomic and microeconomic issues, evaluate the significance of gender aspects in the restructuring of the economy or, in general terms, to spell out the gender aspects of strategic programmes.

Several large-scale studies of gender issues have been made by the Asian Development Bank, the World Bank and the United Nations Children's Fund (UNICEF), with the assistance of local non-governmental organizations. The Committee on Women and the Family has been involved in the research.

Article 5

7. No criminal cases have been initiated or are under consideration by the courts under article 143 of the Criminal Code of Tajikistan (Violation of the rights of citizens on the grounds of sex).

The Office of the Procurator-General of Tajikistan pays special attention to preventing and stopping violence against women. It studies, analyses and draws conclusions from crimes committed against women. The findings are reviewed at meetings of the Coordinating Council of the country's law-enforcement authorities and at inter-agency meetings, and prompt and effective measures are taken to redress known violations of the law. Nevertheless, the level of crime committed against women remains disturbingly high.

The studies made so far have shown that the offences are committed mainly against the lives, health, sexual freedom and physical integrity of women.

In the course of 2005 and seven months of 2006, a total of 274 murders were recorded. In 64 of the cases the victims were women, and most of the crimes were committed in a family or domestic setting. Investigations into 112 cases of rape were completed and the culprits were prosecuted.

8. Article 5 of the Constitution of Tajikistan provides that life, honour, dignity and other natural human rights are inviolable.

The rights and liberties of the person and citizen are recognized, observed and protected by the State.

The Constitution also provides that the rights and freedoms of the person and the citizen are regulated and protected by the Constitution and laws of the Republic, as well as under international legal acts recognized by Tajikistan. Limitations of the rights and freedoms of citizens are only allowed for the purposes of ensuring the rights and freedoms of other citizens, maintaining law and order, and protecting the constitutional system and territorial integrity of the Republic (article 14).

All persons are equal before the law and the courts. The Government guarantees the rights and freedoms of every person regardless of ethnic origin, race, sex, language, faith, political beliefs, education, or social or property status. Men and women have equal rights (article 17).

As the foundation of society, the family is under the protection of the Government. Every person has the right to start a family. Men and women who have reached marriageable age have the right to enter freely into marriage. In familial relations and in the event of dissolution of marriage, spouses have equal rights. Polygamy is forbidden (article 33).

Measures are systematically taken to eliminate discrimination against women and violence in the family. Moreover, under the criminal law of Tajikistan, the following acts against and within the family are punishable by law:

- Article 105. Murder of a newborn child by its mother
- Article 109. Inducement to suicide
- Article 116. Beating
- Article 117. Cruel treatment

Article 131.	Illegal deprivation of liberty
Article 134.	Coercion
Article 136.	Insult
Article 138.	Rape
Article 139.	Sexual assault
Article 140.	Sexual coercion
Article 141.	Sexual intercourse and other actions of a sexual nature with persons under the age of 16
Article 142.	Depraved acts
Article 143.	Violating the equal rights of citizens
Article 144.	Unlawfully gathering and disseminating information about a person's private life
Article 146.	Violating the privacy of correspondence, telephone conversations, telegrams, postal and other forms of communication
Article 155.	Unjustified refusal to hire or unjustified dismissal of a woman who has a child under the age of 3
Article 165.	Involving a minor in the commission of an offence
Article 167.	Trafficking in minors
Article 168.	Giving in marriage of a girl under marriageable age
Article 170.	Bigamy or polygamy
Article 171.	Substitution of a child
Article 172.	Illegal adoption
Article 173.	Divulging the secret of adoption
Article 174.	Failure to comply with the obligation to ensure the upbringing of a minor
Article 175.	Undue failure to comply with the obligation to safeguard the lives and health of children
Article 176.	Abuse of guardianship and tutelage rights
Article 177.	Fraudulent evasion by parents of child support obligations

As part of efforts to bring down the level of domestic violence against women, and with the assistance of the Ministry of Health of Tajikistan and the international organization "Mercy Corps", counselling centres equipped with confidential telephone helplines have been set up in five health institutions in the city of Dushanbe. These centres offer appropriate medical and psychological support to those in need.

The Government is currently considering a bill on social and legal protection against domestic violence.

It is necessary to adopt such a bill because, although the existing legislation does contain a list of offences against the life, health, sexual inviolability, and property and non-property rights of individuals, there is no specific mention of liability in respect of offences committed in the family by a person related to the victim by marriage, birth or affinity, and this despite the fact in such cases the victim suffers considerably greater physical and, in particular, moral harm and the secure existence of the whole family is threatened.

Adoption of the bill will create civil-law remedies against domestic violence and afford assistance to its victims, as well as establishing new means of protection by the courts (temporary injunctions, protection orders) which will make it possible to bring the perpetrator to account without recourse to criminal-law measures, an approach conducive to a healthier society.

It may be noted that the Judges Study Centre of the Council of the Judiciary teaches constitutional, criminal, civil and other branches of law, as well as international human rights law, including the topic of sexual equality.

Article 6

9. Article 174.1 of the Administrative Offences Code provides for liability for engaging in prostitution, which is subject to the issue of a warning or imposition of a fine of up to one half of the minimum wage.

If the offence is repeated within one year of the imposition of an administrative penalty a further fine of twice the minimum wage is imposed.

The criminal acts referred to in article 238 (Procurement for prostitution) and article 239 (Establishment or maintenance of houses of prostitution, procurement and living off the earnings of a prostitute) of the Criminal Code are punishable by deprivation of liberty for up to five years.

The internal affairs agencies register women working as prostitutes on whom an administrative penalty has been imposed and carry out preventive measures with them.

10. Tajikistan uses various strategies for dealing with the problem of trafficking in persons. In recent years the relevant domestic legislation has been radically modernized and developed to bring it into line with the current situation with regard to trafficking in persons.

In 2003 Tajikistan adopted a piece of legislation establishing criminal liability in respect of trafficking in persons. Article 130.1 was added to the Criminal Code.

The Trafficking in Persons Act was adopted in 2004: it defines the concept of trafficking in persons and the types of crime involved and specifies the entities responsible for combating the problem and their powers, as well as addressing the questions of prevention, social rehabilitation and protection of victims, State guarantees, defining the responsibilities of diplomatic missions and spelling out the details of the relevant legal procedures and the liability of individuals and legal entities in respect of such trafficking.

In 2005 the Government established an interdepartmental commission to combat trafficking in persons and assigned it the task of drafting the bases of State policy to tackle this problem, and also of the monitoring, coordination and

preparation of international treaties and their ratification and the study of legislation, with a view to determining its consistency with the international legislation, etc.

Pursuant to a presidential order of 27 May 2005 the Government, in conjunction with the International Organization for Migration (IOM), had 57 women victims of trafficking in persons returned to their home country from the United Arab Emirates.

A governmental order of 6 May 2006 approved the comprehensive programme to combat trafficking in persons for the period 2006-2010, which is designed to facilitate the formulation and provide the underpinnings for a State policy to combat trafficking in persons and also specifies the ways in which Tajikistan can fulfil its obligations to the world community.

This comprehensive programme has six sections.

Section I deals with the monitoring of problems affecting efforts to combat trafficking in persons. One typical problem addressed in this section is the public ignorance of the methods and means used by traffickers.

The programme proposes the following means of tackling the problem:

- Study, analysis and formulation of general conclusions on the efforts of State agencies to combat trafficking in persons;
- Improvement of public awareness of the methods and means used by traffickers and of the potential risk of exploitation and physical abuse of illegal migrants by means of the systematic organization and conduct of information and education measures on the prevention of trafficking in persons, including a special series of television and radio broadcasts and the publication of individual articles in the printed media describing the consequences of illegal travel abroad;
- Determination of the population group at risk;
- Systematic counselling and educational work among members of the risk group and the provision of targeted assistance for them;
- Establishment and operation of round-the-clock hotlines and confidential helplines in the relevant ministries and departments to furnish the public with information about matters of emigration for work and prevention of trafficking in persons;
- Production and publication of a compilation of international and domestic legislation on matters relating to the fight against trafficking in persons, and formulation of programmes for trainers on the conduct of short education courses on the prevention and suppression of trafficking in persons;
- Study of the international experience of combating and preventing trafficking in persons, and the dissemination of general conclusions on the subject throughout the country.

Section II provides for the establishment of training programmes on the fight against trafficking in persons for staff of the relevant State agencies.

Section III addresses the elimination of the social problems which create the conditions for the expansion of traffickers' activities.

Section IV deals with arrangements for the return, reintegration and rehabilitation of victims of trafficking in persons.

Section V addresses the improvement of legislation and the incorporation of the international legal instruments in domestic law.

Section VI specifies ways of developing international cooperation.

Accordingly, Tajikistan's position on the fight against trafficking in persons has already been formally established, and the interdepartmental commission on combating this traffic, the individual ministries and departments, the executive authorities of the Kuhistoni-Badakhshan Autonomous Province, the authorities of the provinces, the city of Dushanbe, the municipalities and the districts answerable to the central Government are taking appropriate steps to implement the comprehensive programme described above.

In addition to the involvement of non-governmental organizations, many seminars, training sessions and other educational activities on the dangers of this phenomenon and ways of eliminating it have been organized and carried out for specialist personnel of State agencies and for members of the public.

In 2004-2005 the international organizations IOM, International Research and Exchanges Board (IREX) and OSCE and the non-governmental organization "Modar" ("Mother") organized and conducted a number of round tables, training sessions and seminars, with the active involvement of members of the country's law-enforcement agencies, on work with victims of trafficking in persons, including minors. In order to intensify the fight against crimes connected with trafficking in persons, IOM and the United States embassy to Tajikistan furnished practical assistance to the Ministry of Internal Affairs in the shape of technical equipment, including computers and vehicles.

The Ministry's Organized Crime Department has established a trafficking in persons division, and its Criminal Investigation Department has a vice squad responsible, among other areas, for combating trafficking in persons. The Ministry's Public Order Department has created a division to combat illegal migration, which deals with the legal and illegal migration of Tajik nationals and the related trafficking.

These divisions of the Ministry of Internal Affairs have the following duties:

- Dealing with the social consequences of the fight against trafficking in people;
- Prevention, detection and suppression of activities connected with trafficking in persons and mitigating their impact as far as possible;
- Physical, psychological, social and legal rehabilitation of victims of trafficking in persons;
- Protection of individuals, the State and society against trafficking in persons.

In 2005 and the first six months of 2006 the country's law-enforcement agencies opened 78 criminal cases involving 124 persons in respect of trafficking-related crimes, specifically under article 332 (Recruitment of persons for exploitation) and article 167 (Trafficking in minors) of the Criminal Code (Sughd

province — 43; Khatlon province — 4; city of Dushanbe — 19; Procurator-General's Office — 10; Ministry of Security — 2), including 15 cases involving 30 persons for trafficking in minors.

A total of 53 criminal cases involving 89 defendants came to court, including 14 cases involving 28 defendants under article 167 of the Criminal Code. Proceedings were discontinued in the investigation of 20 criminal cases involving 28 persons.

Most of these criminal cases were heard at visiting sessions of the courts and reported to the public through the media.

Articles 7 and 8

11. According to article 2 of the Civil Service Act all citizens of Tajikistan are equally entitled to employment by the State.

The database of the Civil Service Register indicates that 3,767 women, or 24 per cent of total personnel, are employed in the civil service (the 2005 figures were 3,612 and 23.4 per cent). There is a total of 2,152 women employed in the central agencies (57.2 per cent) and 1,615 (43.8 per cent) by local authorities:

- In the Executive Office of the President — 84 women (32.6 per cent);
- In the apparatus of the Majlis-i Milli and the Majlis-i Namoyandagon of the Majlis-i Oli — 71 women (51.4 per cent);
- In the central machinery of the courts — 27 women (28.4 per cent);
- In agencies of the Procurator-General's Office — 179 women (19.6 per cent); and
- In ministries, State committees, departments and offices — 1,791 women (19.6 per cent).

Women currently account for 28.4 per cent of all heads of division in the offices of chief executives of provinces, municipalities and districts. Eighty-eight women (21 per cent) have been elected *jamoat* (subdistrict) chairs and 125 (45.6 per cent) *jamoat* vice-chairs.

The State agencies are drawing up a roster of personnel to fill civil-service vacancies and to ensure that staff are able to advance through the service. According to figures from the Civil Service Department, as at 1 June 2006 there was a total of 764 women civil servants (35.1 per cent) on the roster.

Pursuant to a presidential decree 157 women were awarded professional status in 2005-2006.

The legal basis of the country's diplomatic service consists of the Diplomatic Service Act of 2 December 2002, the Civil Service Act of 13 November 1998, the Equality and Equal Opportunities for Men and Women (State Guarantees) Act and presidential decree No. 5 of 3 December 1999 on enhancement of the role of women in society.

It should be noted that there are currently 31 women in the diplomatic service (24 per cent of total personnel), including four women (10.2 per cent) in senior posts:

<i>Post</i>	<i>Women</i>
First deputy minister	0
Deputy minister	0
Head of department	1
Deputy head of department	0
Head of division	3
Counsellor	1
First Secretary	7
Second Secretary	4
Third Secretary	4
Attaché	1
Expert	10

12. Family voting was seen in the country's parliamentary elections in 2000. Most of the problems affecting the conduct of elections in Tajikistan are linked to citizens' poor understanding of election legislation. Accordingly, since 2003 seminars and training courses to increase women's active involvement in elections have been run by the Central Elections and Referendums Commission of the Republic of Tajikistan, with the involvement of representatives of political parties, non-governmental organizations and voters themselves and the direct support of international organizations. Meetings, discussions and training courses have been held in many of the rural districts, labour collectives and educational institutions as a way of broadening the legal and informational background of women and girls. Special columns have been written in the government-run women's newspapers *Jumkhuriat* and *Nilufar*, the magazine *Bonuvoni Tojikiston* and other publications, with a view to enhancing women's legal literacy and awareness.

There are weekly radio programmes offering training in women's rights.

Article 10

13. The State Statistics Committee of the Republic of Tajikistan published a compilation entitled "Education in the Republic of Tajikistan, 1991-2005" to mark the fifteenth anniversary of the country's independence. It contained a breadth of statistical information on student numbers at all levels of the education system, disaggregated by sex, age and urban and rural areas. Indicators are given on the scope of education at all the different levels (see addendum 1).

According to Ministry of Education statistics, there are 2,612 children aged between 7 and 15, including 870 girls, who for various reasons do not go to school. The Ministry of Education and local governments have taken a number of measures to improve the school attendance rates of girls: holding discussions and explanatory sessions with parents and children, publishing informational materials, including in newspapers, magazines, etc., and also providing a single hot meal for children in the beginners' classes.

In addition, serious efforts have been made by the State in recent years to find places for orphans and children from poor families at national and district-level boarding schools, where boys and girls enjoy equal educational opportunities.

The proportion of girls in general-education day schools is 48 per cent, totalling 769,700 pupils. Some 91.7 per cent of girls and 99.4 per cent of boys are in compulsory education (grades 1-9). The percentage of girls attending beginners' classes is higher — 96.3 per cent — but in the more senior classes (grades 10 and 11) this percentage drops to between 30 and 35 per cent.

14. A special optional course on “Gender and Literature” is on offer to students in the arts faculties of the Tajik State National University, the Russian-Tajik (Slavonic) University, the Tajik State Institute of Languages and the Tajik State Pedagogical University.

Special gender studies courses have been introduced into the curricula of general-education, higher education and vocational education institutions in order to help people better to understand gender issues. Efforts are also made through newspapers and magazines published by the Ministry of Education to encourage more girls to go into subject areas like information technology and design, management and economics, international relations, foreign languages and other technical fields.

Gender equality is observed in all textbooks published for general-education schools, and particularly in the illustrations and content, to ensure that they do not appear to promote discrimination on grounds of sex and to assist pupils in making their career choice.

In addition, with the help of the Ministry of Education, voluntary associations and other organizations conduct various training courses and seminars on gender issues for the benefit of students and senior pupils from educational institutions around the country.

15. A system of assigning quotas for girls from villages in mountain regions has been introduced to remedy the shortage of specialists in a number of fields.

In 2006, the Government allocated 916 quota places for young people from the mountains and remote rural areas, and of these 480 were girls. The teaching profession accepted 336 girls, or 70 per cent of a total of 480 vacancies. There is a dynamic increase in the numbers choosing to go into professions such as medicine, the law, engineering, design, and various agricultural and agrarian professions.

There are 100,624 teachers in the Tajik education system, and of these 49,796 (49.4 per cent) are women. There are also some 486 pre-school institutions in which (according to the figures for 2005-2006) 99 per cent of the head teachers and teachers are women.

It is also worth mentioning that in 35 per cent of the general-education schools in the country (3,810 schools) the head teachers are women. It should be added that nine of the city and district education departments are headed by women (12 per cent). Thirty of the 65 staff employees of the Ministry of Education (46.1 per cent) and four of the nine managers are women.

Article 11

16. The transition to the market economy divided the labour market in two: the new, market-based sector, basically “male”, high-status and well paid; and the traditional, State sector, which is predominantly “female”, preserving the purely superficial status of public office while being low paid. Statistically, about 85 per

cent of women work in areas of the economy where wages are lowest — agriculture, education, health care and culture.

In the first half of 2006 women constituted 54 per cent of the registered unemployed, and their situation remains unfavourable when it comes to maternity and child care. Furthermore, employers often have a prejudiced attitude to women, as a result, and the less competitive groups of women leave the labour market.

The tendency for employees to transfer from the State sector to the private sector is bringing about fundamental changes in the structure of employment which are linked to the transition to new conditions of management. The informal sector has begun to play a growing role in the employment of women.

At the same time, the proportion of women employed in agriculture is increasing. Flexible working arrangements for women are becoming more widespread, and constitute a very important element in the development of the labour market.

There are more than 23,101 *dehkan* farms (small-scale family enterprises) engaged in agricultural production in Tajikistan, and 3,005 of these are headed by women. Women constitute 52.7 per cent of the total workforce in agriculture.

There are not too many women in big business and medium-sized companies. In 2005, women accounted for 25.4 per cent of the workforce of firms with corporate status and fewer than 15 employees. Women are generally employed in small businesses connected with trade and agriculture. According to market tests carried out by the State Statistics Committee, 55.3 per cent of market traders in 2005 were women. Their involvement in this sector is increasing rapidly.

Research into living standards carried out by the State Statistics Committee has shown that the proportion of men in the labour force was about 20 per cent higher than that of women, but between 1999 and 2003 that disparity narrowed by more than 6 percentage points. At the same time as the male workforce has decreased by 4.9 per cent, the female workforce has grown by 1.3 per cent.

The combined effects, however, of traditionalism, the abandonment of the socialist concept of social structure, which albeit with certain shortcomings had managed to raise the social status of women, the transition to the market economy, the civil war and its consequences, which had a particularly severe impact on the situation of women, have reduced the legally enshrined status of women to a largely theoretical notion. This is particularly evident in the non-State sector of the economy where there is a need to set in place a State monitoring system. With that end in view, the State Labour Inspectorate was recently established within the Ministry of Labour and Social Welfare of the Republic of Tajikistan.

In recent years there has been an annual increase in the minimum wage and in current salary rates (base rates) of workers in central budget-funded agencies and organizations. In 2001, the minimum wage was tripled, and salaries and base rates were increased by 40 per cent; in 2002, these increases were 33 and 40 per cent respectively; in 2003, they were 25 and 20 per cent; in 2004, 40 and 25 per cent; in 2005, 71 and 50 per cent; and in 2006, the increases were 66 and 40 per cent.

The additional nominal average monthly wage for a worker, averaged across the country, increased over the period January-May 2006 by 27.2 per cent compared with the same period the year before, amounting to 102.88 somoni, or US\$ 31.97.

In the past three years the issue of removing the disproportion in salaries has been resolved through increasing them on a differentiated basis. The latest increase was announced in a presidential decree of 1 April 2006, which saw the minimum wage go up to 20.00 somoni per month, or US\$ 6.22, and current salaries (base rates) of workers in all central budget-funded agencies and organizations go up by on average 40 per cent. The salaries of workers in primary health-care establishments were increased by on average 60 per cent, while those of heads and deputy heads of general-education schools, boarding schools and children's homes and the heads of pre-school establishments went up by 50 per cent. The salaries of teachers in pre-school establishments were brought up to the same level as those of primary school teachers.

According to the results of research carried out by the State Statistics Committee of the Republic of Tajikistan into living standards, the poorest section of the rural population represented 23.4 per cent, and that of the urban population 18.6 per cent. In this connection, it should be borne in mind that 74 per cent of the country's population live in rural areas and are engaged in subsistence farming.

17. The Public Employment Programme envisages the following measures to stimulate the employment of women and reduce the gender imbalance on the labour market:

- Support for women's initiatives in developing entrepreneurship and self-employment;
- Creation of a labour exchange for women; provision of vocational guidance services and vocational training to women, raising their qualifications and retraining unemployed women;
- Attracting women into paid community service;
- Placing women in jobs in accordance with the established quotas;
- Organizing practical training internships for young people;
- Creation of a network of community business centres.

Between 2003 and 2005 the employment agencies received job applications from nearly 184,000 people, some 50 per cent of whom were women. In all, 55,000 of these were placed in employment and of them 21,000 were women. Some 58,500 went into community service, and about 50 per cent of them were women. Some 942 of the women were placed in jobs under the quota system. Some 13,000 jobseekers, 7,500 of whom were women, underwent vocational training, and 40 per cent of those women were placed in jobs.

18. With a view to increasing women's income-earning potential from sources such as microcredit, several projects were carried out in Tajikistan over the period 2001-2002 by international organizations and financial institutions to reduce poverty among the population and enable women to work in income-generating occupations by providing them with microcredit.

The Microcredit Organizations Act was adopted on 17 May 2004. Since May 2004 the national bank of Tajikistan has been analysing the work of banking and financial institutions providing microcredit for people in Tajikistan (microcredit funding, deposit and loan institutions). The figures for microcredit lending as a whole over the first half of 2006 are set out below.

In all, 54,048 microcredit loans were granted, and loan agreements were entered into for a total of 235.4 million somoni. The percentage of loans granted to women was 40.25 per cent, and the total sum lent was 70.1 million somoni, distributed regionally as follows:

<i>Regions of the Republic of Tajikistan</i>	<i>Share of microcredit granted to women (%)</i>	<i>Total of microcredit loans to women (in millions of somoni)</i>
Dushanbe	1.66	16.0
Sughd province	28.75	35.7
Kuhistoni Badakhshan Autonomous Province	3.52	5.0
Khatlon province	3.16	5.6
Central Government-administered region	3.16	7.8
Total	40.25	70.1

Tajikistan is taking appropriate steps to eliminate discrimination against women in employment, so as to secure equal rights for men and women, especially the right to work, on a basis of equality.

The economic changes in the country and in the various sectors of the economy have had an impact on the situation of women in the workforce. There is a preponderance of women in certain occupations, usually the low-paid ones such as agriculture, health care and education. Earnings in these occupations are between five and seven times lower than in industry, construction, etc.

The Government of Tajikistan has adopted a State programme on key areas of a State policy to ensure equal rights and opportunities for men and women of the Republic of Tajikistan for the period 2001-2010. One of the focuses of this programme is to safeguard women's employment and the effective enjoyment of their social and employment rights. Work is being done to provide microcredit and other loans to women entrepreneurs.

Funding is being provided through the State budget and local budget resources, of measures under the Public Employment Programme for 2003-2005 in the areas of career guidance, training and vocational training according to market demand, and of support for women's self-employment and enterprise initiatives (1,800 persons), including through the creation of a microcredit-lending system run by employment agencies and the expansion of the labour market for women.

In 2002, in Kurgan-Tyube, a labour exchange for women was created, which liaises with the Khatlon province Committee on Women and the Family.

A labour exchange for women has also been set up in Sughd province and the possibility of creating a similar exchange in the Kuhistoni-Badakhshan Autonomous Province is under consideration.

From 1999 to 2005 alone, the National Association of Businesswomen issued microcredits worth 92 million somoni to 25,000 Tajik women.

Great importance is attached to vocational training and retraining of unemployed women and girls. Experience shows that women have a very low level

of vocational education, and more than half of unemployed female job seekers have no specialist skills.

In that regard, priority is being given to the implementation of vocational training programmes for women to train them in skills that are in demand in the labour market.

In 2005, a total of 2,264 women throughout Tajikistan attended vocational training courses in study centres run by employment agencies, of whom 1,145 obtained vocational qualifications. Of those who completed vocational training, 62 per cent found employment.

Due attention is being given to basic technical vocational education and training for girls. The technical vocational education and training system administered by the Ministry for Labour and Social Welfare comprises 72 technical secondary schools and technical vocational colleges, which train specialists in more than 90 areas of expertise. Girls account for around 30 per cent of students at technical vocational colleges.

In 2005, with the assistance of employment agencies, 278 women were recruited to vacant posts under the quota system. In addition, it should be noted that around half of all women take part in community service nationwide.

19. The constitution of the Republic of Tajikistan and national labour legislation provide for equal rights for men and women in the area of employment.

The Labour Code of the Republic of Tajikistan provides that all citizens have equal employment opportunities.

Any form of discrimination, hindrance, bias or refusal to recruit on the grounds of ethnic origin, race, skin colour, sex, age, religion, political conviction, place of birth, foreign origin or social background, resulting in failure to uphold equality of opportunity in the area of employment, is prohibited.

Distinctions based on job requirements specific to a given post or special treatment given by the State to persons in need of greater social protection (women, minors and disabled persons) do not constitute discrimination.

Any person who considers that he or she has been subjected to discrimination in employment may institute the appropriate legal proceedings.

In accordance with article 14 of the Equality and Equal Opportunities for Men and Women (State Guarantees) Act, where the court or another body considers an employment dispute having to do with alleged sexual discrimination in response to a claim filed by an employee, labour union or other voluntary association acting to protect employee interests, the employer bears the burden of proving the lack of intent to discriminate. Procedures for examining such cases are governed by the procedural law of Tajikistan.

Article 12

20. According to Ministry of Health data for recent years, maternal mortality indicators have been on a downward trend. In 1990, the maternal mortality indicator was 97.7 per 100,000 live births. In 1995 and 2000, this indicator was 96.3 and 44.6 per 100,000 live births respectively, while in 2005 this indicator was 40.1 per 100,000 live births. At the same time, independent research shows that the actual

maternal mortality indicator is three or four times higher than official statistics show. According to data from a multiple indicator cluster survey (MICS-3) conducted in Tajikistan by the State Statistics Committee and UNICEF in 2005, the maternal mortality level as determined by the so-called “nurse survey method” was 97 per 100,000 live births. At the present time, obstetric haemorrhaging and gestosis remain prevalent causes of maternal mortality. For this reason, working in cooperation with UNICEF, the United Nations Population Fund (UNFPA) and Columbia University (United States of America), the Ministry of Health has carried out a national study to assess the demand for emergency obstetric care (EmOC) in Tajikistan. The preliminary report on the study results has been examined. The aim of the study is to develop a national strategy to expand access to emergency obstetric care and to build health-care institutional and community capacity to organize such care for the public. In addition, with the support of the World Health Organization (WHO), the Ministry of Health has developed and approved clinical obstetric haemorrhaging and gestosis protocols and has begun introducing these protocols in Khatlon province. Pursuant to an undertaking by the Government of Tajikistan for 2005 to reduce the number of home births, the Ministry of Health has developed and approved a joint plan of action of the Ministry of Health and the local executive bodies of Kuhistoni-Badakhshan Autonomous Province, Khatlon province and districts reporting directly to the central Government to reduce the number of home births, which are a factor in maternal mortality. After this plan had been in effect for a year, home births were reduced from 28.7 per cent in 2004 to 22.7 in 2005.

21. In recent years, the number of abortions has gone down. For example, while in 1990 there were 195.0 abortions per 1,000 live births, in 1995 and 2000 this indicator was 150.6 and 94.1 per 1,000 live births respectively. This same indicator in 2005 was 129.9 per 1,000 live births. Study of the underlying reasons for abortions has revealed that in over 45 per cent of cases abortions are spontaneous, an indication of the low level of reproductive health in Tajikistan.

In 2006 in cooperation with UNFPA, the Ministry of Health hired an international expert and studied the issue of access to safe abortion. Pursuant to the recommendations made by the expert, development of a national strategy to expand access to safe abortions has begun.

22. With international support from UNFPA, UNICEF and the United States Agency for International Development (USAID), the Government of the Republic of Tajikistan has organized reproductive health centres equipped with necessary medical equipment in all cities and districts of the country. Every year, over 200 specialists from reproductive health-care organizations attend further training courses in reproductive health and family planning. The centres also have up-to-date contraceptive methods (IUDs, oral hormonal contraceptives, condoms and hormonal contraceptives administered by injection). While in 1990 a mere 9.3 per cent of women of reproductive age were using contraceptives, according to official health sector statistics, in 2005, this figure had risen to 26.4 per cent. In addition, the number of women who do not observe an intergenetic period (meaning that the interval between births is less than two years) has gone down. According to data from 2001, 38.9 per cent of women who gave birth did so at intervals of less than two years, but in 2005 this indicator had dropped to 26.4 per cent.

According to official Ministry of Health statistics, the infant mortality indicator for 1995 was 30.9 per 1,000 live births; in 2000, it was 15.5 and in 2005, it was 14.1 per 1,000 live births. According to data from a study conducted by UNICEF and the State Statistics Committee (MICS 2000), the infant mortality rate was 89.0 for 1,000 live births, while the MICS 2005 report showed a rate of 65 per 1,000 live births. In 2002, the Ministry of Health and UNICEF carried out a joint study on the causes of infant mortality and the results of that study showed that the infant mortality indicator in the regions studied (the city of Dushanbe and Khatlon province) was 85.5 for 1,000 live births. To reduce the high infant mortality level, especially in rural areas, the Ministry of Health is implementing a joint WHO/UNICEF programme, on the integrated management of childhood diseases. Under this programme, supported by the Government of Japan, children up to the age of five receive medicines and vaccines. In addition, the Ministry of Health has developed hospital-level clinical protocols for the main childhood diseases. In keeping with the fundamental principles of the Convention on the Rights of the Child, a Ministry of Health working group is developing a national strategy of integrated approaches to protect the health and development of children and teenagers in Tajikistan for the period 2007-2010. The strategy aims to help children and teenagers in the country achieve their health and well-being potential by reducing disease, disability and mortality indicators and also by enhancing children's general growth and development through a set of treatment and preventive interventions and health-care system reform, including decentralizing the management system and capacity-building at the district level.

23. The commonest extragenital diseases are anaemia, diseases of the urogenital system, iodine deficiency disorders, diseases of the respiratory organs and heart disease, all of which have a negative impact on the health of mother and child. Anaemia occurs in about 60 per cent of pregnant women (29.6 per cent in 1992 and 42.5 per cent in 1995). Thus, about 70 per cent of women have extragenital diseases that have an adverse effect on childbirth and lead to post-partum complications and problems at the post-natal stage.

In addition, cases of reproductive disease are fairly common among women in Tajikistan. As the survey results have shown, around 90 per cent have gynaecological problems; 49.3 per cent suffer from inflammatory diseases and 7.2 per cent are infertile.

Article 14

24. In response to the fact that over 70 per cent of the population lives in rural areas and 49.8 per cent of that population is made up of women, the Public Employment Programme for 2006-2007 provides for measures to support entrepreneurial initiatives and self-employment by unemployed women by granting them microcredits, or concessional loans.

Microcredit will be provided for the 3,200 women who have expressed a desire to engage in entrepreneurial activities or become self-employed. Financial support will be given, in the first instance, to unemployed women living in rural areas and widows who are heads of household.

Where necessary, unemployed women embarking on entrepreneurial activities and self-employment will be provided with a range of informational, advisory and educational services.

In order to deal with the problems faced by rural women in general, and rural women heads of household in particular, in finding work, the cities of Kurgan-Tyube and Khorog and the Tavildara district have set up labour exchanges for women and a network of community business centres. Assistance has also been provided in setting up non-governmental organizations to deal with the problems facing women seeking employment.

In addition, in accordance with a government decision of 30 December 2001 on the payment of cash benefits (or compensation) to poor families with children attending general schools in the Republic of Tajikistan, benefits are paid to poor families with children of school age — between the ages of 6 and 15 — who are attending school.

In preschool and educational establishments located in rural districts, nearly all the teachers and technical staff are women.

Furthermore, in all rural districts, voluntary associations and employment centres organize activities to retrain women for occupations appropriate to rural locations.

25. According to data provided by the State Statistics Committee, as of 1 January 2006, there were 23,101 *dehkan* farms in Tajikistan. Of these, 3,005 — or 13 per cent of the total registered *dehkan* farms — are managed by women.

In October 2003, the Government of Tajikistan, recognizing the importance of ensuring that women should enjoy their right to economic independence and security, established the Coordination Council, headed by the Deputy Prime Minister of Tajikistan, in support of the UNIFEM project.

At the request of the Coordination Council, the State Statistics Committee set up a working group to prepare statistical reports on agriculture that would provide additional gender indicators. The working group's proposals met with support from ministries and departments of Tajikistan concerned with the issue. Statistics on additional gender indicators were introduced, in aggregated and disaggregated form, into reports on *dehkan* farms and other farms from 1 January 2005. Instructions on the collection and processing of such data were circulated. It thus became possible to trace, twice a year, quantitative and qualitative changes in the indicators relating to women's participation in land reform. The UNIFEM project and the State Statistics Committee have jointly conducted regional workshops on the collection and analysis of data on the activities of *dehkan* farms.

Pursuant to the decision of the Government of the Republic of Tajikistan amending the State programmes on key areas of a State policy to ensure equal rights and opportunities for men and women of the Republic of Tajikistan for the period 2001-2010 and on access to land by rural women and for the purpose of monitoring the land reform bidding process, the State Land Management Committee of the Republic of Tajikistan issued order No. 139 of 10 August 2004, establishing a monitoring group to be headed by the Committee's deputy chair. The group is responsible for monitoring land reform in conjunction with the United Nations Development Fund for Women (UNIFEM) project and in accordance with terms of reference set by the State Land Management Committee.

According to the State Land Management Committee, as of 1 January 2006, 645 farm businesses underwent reorganization, on the basis of which more than

26,000 *dehkan* farms were set up. There are more than 828,000 land shareholders on these *dehkan* farms, over 50 per cent of whom are women.

In conjunction with the Committee on Women and the Family of the Government of the Republic of Tajikistan and in accordance with the general agreement signed with UNIFEM, 11 rural districts have been selected to UNIFEM-sponsored pilot projects to support the establishment of district outreach and advisory centres; since October 2004 experts from the local committees on women and the family in the districts together with lawyers selected by competitive examination in the field have been providing free legal consultations to villagers on issues related to the Land Code, the Family Code and the Civil Code, including the question of access by and the rights of women to economic resources and property, in particular the right to land.

Trained members of the *jamoat* — or subdistrict — development committees in the pilot districts are conducting consultations with the rural population and *dehkan* farms headed by both women and men on land reform issues and on how to set up *dehkan* farms, and also providing financial support, including the granting of microcredits for the development of *dehkan* farms managed by women.

On the recommendation of members of the Coordinating Council and in consultation with the regional office of UNIFEM and the United Nations Development Programme (UNDP), the project has further expanded its efforts to provide advice to the rural population. Since June 2005, district outreach and advisory centres have been established and are operating in five additional districts: Shaartuz, Muminabad, Penjikent, Jabbor Rasulov and Rasht.

Thus, the UNIFEM project is now supporting district outreach and advisory centres set up under agreements with the local municipal and district authorities in 16 rural districts, helping to educate the population by preparing general meetings on the reorganization of farming and taking steps to help *dehkan* farms by putting them in contact with microfinance institutions.

A series of training courses was held under the UNIFEM project in October-November 2004, at the instigation of the Coordinating Council:

- (a) A two-day course, jointly with the State Land Management Committee of Tajikistan, the OSCE monitoring group and other specialists from the province and district land committees, on arrangements for gender-sensitive monitoring of land reform;
- (b) A two-day course with journalists and media managers from 11 pilot districts, on publicizing the land reform in the media from a gender perspective;
- (c) A five-day course with lawyers selected on a competitive basis and in conjunction with local government authorities. These lawyers, together with the committees on women's affairs in 11 rural districts, provide free advice for the rural population, including women, on legal aspects of the land reform, property issues, etc.;
- (d) A three-day course with the chairs of the women's committees in 11 pilot rural districts, representatives of the government Committee on Women and the Family and the chief officers of these districts;

(e) A two-day course with representatives of 74 *jamoat* development committees, numbering 148 in all.

Together with the UNIFEM project and the Committee on Women and the Family, a round table was held with representatives of the women's committees in the pilot districts on the role of microfinance organizations in supporting *dehkan* farms headed by women.

Active use is made of the media to disseminate information on a wide scale among the public about the work of the project and of the Coordinating Council.

In February 2005, when additions were approved to the State programmes on key areas of a State policy to ensure equal rights and opportunities for men and women of the Republic of Tajikistan for the period 2001-2010 and on access to land for rural women, a letter was prepared and sent, on government instructions, to all the local authorities at provincial, urban and district level, and to the relevant ministries and public agencies, recommending future action on their part to implement the new provisions.

Practical assistance for *dehkan* businesses headed by women in making effective use of land is provided by the National Association of Businesswomen of Tajikistan and the voluntary association Gender and Development, both members of the Coordinating Council.

The National Association of Businesswomen of Tajikistan and the association Mennonite Economic Development Associates have started a project to develop the agricultural sector in northern Tajikistan. There will be three project areas: microfinancing, business services and market development. The pilot locations chosen for the project are Bobojon Gafur district and the cities Istaravshan, Kanibadam and Isfara.

The project aims to develop small and medium-sized agricultural enterprises, to support farmers and to cultivate and process high-quality fruit.

Since September 2004 the voluntary association Gender and Development, with the support of the Government of Finland, has been implementing a project to promote access to education for rural women. The aim of this project is to build the skills and knowledge of rural women in maximizing their profits, in order to alleviate poverty in rural districts.

Through this project 300 women in six *jamoats* have received skills training in entrepreneurship and two groups of 50 women from two separate districts have undergone seven-day training courses in income-generating activities. The State Committee on Agriculture, the law firm Lex and Gender and Development have jointly conducted two round tables on land law. The project also intends to conduct quarterly round tables on the same subject in the *jamoats* of the relevant districts.

Handbooks have been published in the Tajik and Russian languages on "Aspects of women's rights during the land reform in the Republic of Tajikistan" and "Women's rights to land: questions and answers". Two booklets have also been published, under the titles "Rules for setting up a *dehkan* (farming) business" and "Women's rights to land", together with a list of agricultural services in the pilot districts. These materials are being distributed among the rural population.

Members of non-governmental organizations have played an active part, on behalf of the Government, in ensuring transparency in the process of reorganizing farm businesses.

The UNIFEM project, together with OSCE and in partnership with the Association of Young Lawyers of Tajikistan, has conducted five round tables and a conference on tackling the problem of protecting the economic and property rights of women through national legislation.

Article 14

26. Educational statistics are currently disaggregated by urban and rural areas in the country and by the sex and age of pupils, and every general-education school submits reports to its local education authorities.

The figures for non-attendance are analysed on the basis of the records in class registers, and this report is used by the Ministry of Education in inter-agency reporting procedures.

Articles 15 and 16

27. Polygamy is a punishable offence under article 170 of the Criminal Code.

The Family Code makes it obligatory for marriages to be solemnized in premises officially licensed for that purpose. As soon as the marriage is recorded in the civil register, citizens have the rights and duties of husband and wife. If the man and woman are already in a de facto spousal relationship, in order for the relationship to be recognized as a legal marriage it must be registered in a registry office. Otherwise, the relationship is not one of husband and wife in the eyes of the law, and consequently does not entail the rights and duties of spouses.

The law protects the rights only of parties to an officially registered marriage. Accordingly, a marriage entered into through a religious ceremony does not protect the rights of women, even if the unregistered spouses have children.

The Committee on Women and the Family is conducting public information campaigns on the provisions of the Family Code and the Criminal Code, with a view to preventing cases of polygamy.

The issue of how to promote responsible attitudes towards the family is widely discussed on television and radio broadcasts and in newspapers and magazines.

If cases of bigamy or polygamy come to light, or of marriage with persons below the legal marriageable age, the guilty persons are prosecuted, and educational sessions, meetings and talks are conducted on the subject for students, young people and the public at large in order to prevent such cases.

There are no firm figures on the numbers of marriages of persons below the legal marriageable age.

The courts have dealt with criminal cases of bigamy or polygamy, and also with cases of marriages below the legal marriageable age. According to statistics gathered by the Council of Justice of Tajikistan, in the first half of 2006 the courts dealt with 159 criminal cases of bigamy or polygamy under article 170 of the Criminal Code, and 16 criminal cases under article 169 of the Criminal Code, concerning marriage with a person below the legal marriageable age.

28. The elements of the nuptial agreement are set forth in chapter II of the Family Code, in article 42 “Marriage contract”:

“1. Under the nuptial agreement, the spouses are entitled to change the legally established regime of joint property to one of common property (article 34 of the Code). They may also decide to hold proportional or separate shares in the whole of the property acquired during marriage, or to institute any other arrangements for the property owned by each of them.

“The nuptial agreement may be concluded in respect of either the existing or the future property of the spouses.

“The spouses are entitled, in the nuptial agreement, to decide upon their mutual rights and obligations; the ways in which they will share in each other’s income; how family expenditure will be met by each of them; how property will be divided between them if the marriage is dissolved; and any other matters relating to the property relationships of the spouses.

“2. The rights and duties provided for in the nuptial agreement may be limited to a certain lapse of time, or be made dependent on specific circumstances arising or not arising.

“3. The nuptial agreement cannot set limits to the legal or dispositive capacity of the spouses or their right to have recourse to a court for the protection of their rights. Nor can it regulate their non-property relationships or the individual rights and duties of the spouses towards children; make provisions to restrict the right of a spouse in need and unable to work to receive maintenance; or contain other conditions placing one of the spouses in a markedly unfavourable position, or contrary to the general object and meaning of family law.”

For the purpose of informing the public, including women living in the countryside as well as in town, during 2001 and 2006 legal scholars, with the assistance of the League of Women Lawyers and the Association of Young Lawyers of Tajikistan, published and distributed a pamphlet entitled “The nuptial agreement” in the Tajik and Russian languages.

Articles 15 and 16

29. In 2000 Tajikistan signed the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.

The signing of the Optional Protocol is a clear indication, in spite of the other problems the country is facing at present, that Tajikistan attaches great importance to the problem of securing equal rights and opportunities for men and women in all areas of public and political life. This problem has to be tackled through legislation and through State policy on gender.

The question of ratifying the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women is currently under consideration and documentation on the matter is in preparation, as required by article 9 of the International Treaties of the Republic of Tajikistan Act.

General education enrolment rate (overall)

<i>Year</i>	<i>Enrolment rate, primary education (grades 1-4), as a percentage of children aged 7-10</i>	<i>Enrolment rate, general education (grades 1-9), as a percentage of children aged 7-15</i>
1991/1992	86.9	92.6
1992/1993	81.8	89.2
1993/1994	87.2	85.1
1994/1995	87.0	86.0
1995/1996	87.8	86.7
1996/1997	90.5	85.7
1997/1998	96.0	85.6
1998/1999	97.0	89.5
1999/2000	97.0	89.5

General education enrolment rate (overall)

	<i>2000/2001</i>	<i>2001/2002</i>	<i>2002/2003</i>	<i>2003/2004</i>	<i>2004/2005</i>	<i>2005/2006</i>
Enrolment rate, primary education (grades 1-4), as a percentage of children aged 7-10	97.0	98.2	98.4	99.5	99.1	99.0
Girls	93.5	96.2	96.0	96.9	97.0	96.3
Boys	100.3	100.2	100.7	102.0	101.1	101.3
Enrolment rate, basic education (grades 1-9), as a percentage of children aged 7-15	88.3	91.0	94.4	95.3	95.3	95.6
Girls	83.9	87.1	90.3	91.4	91.6	91.7
Boys	92.6	94.8	98.4	99.2	98.9	99.4
Enrolment rate, basic education (grades 10 and 11), as a percentage of children aged 16-17	46.0	42.3	37.6	41.8	45.8	46.4
Girls	35.9	32.2	29.2	33.5	36.3	36.2
Boys	55.8	52.2	45.8	50.0	55.1	56.2

Number of children in general educational establishments at start of academic year (thousands)

<i>Year</i>	<i>No. of children</i>	<i>Day attendance</i>	<i>Grades 1-4</i>	<i>Grades 5-9</i>	<i>Grades 10-11</i>	<i>Evening attendance (shift) and external pupils</i>	<i>Special needs pupils</i>
1991/1992	1 325.4	1 310.2	537.0	602.6	167.0	15.2	3.6
1992/1993	1 272.7	1 260.2	519.7	604.3	133.1	12.5	3.1

<i>Year</i>	<i>No. of children</i>	<i>Day attendance</i>	<i>Grades 1-4</i>	<i>Grades 5-9</i>	<i>Grades 10-11</i>	<i>Evening attendance (shift) and external pupils</i>	<i>Special needs pupils</i>
1993/1994	1 240.5	1 226.7	570.9	532.1	121.3	13.7	2.4
1994/1995	1 288.1	1 274.8	593.5	562.6	116.6	13.3	2.1
1995/1996	1 322.8	1 310.1	612.3	585.9	110.6	12.7	1.3
1996/1997	1 340.9	1 327.3	638.7	581.8	106.4	13.6	0.4
1997/1998	1 388.9	1 374.0	686.8	573.7	111.5	14.8	2.0
1998/1999	1 451.2	1 436.6	690.1	659.1	85.2	14.6	2.2
1999/2000	1 479.3	1 464.9	691.9	674.6	97.0	14.4	1.4
2000/2001	1 521.8	1 504.4	680.1	691.4	131.6	17.5	1.3
2001/2002	1 579.5	1 560.0	684.5	744.0	130.0	19.5	1.5
2002/2003	1 636.7	1 619.4	694.9	798.6	124.2	17.3	1.7
2003/2004	1 660.0	1 641.7	690.3	805.8	143.9	18.3	1.7
2004/2005	1 673.8	1 655.0	693.1	802.0	158.2	18.8	1.7
2005/2006	1 682.0	1 663.5	687.8	813.7	160.3	18.5	1.7
Boys							
1991/1992	664.8 ¹	664.8	274.9	306.7	83.2	2	2
1992/1993	650.2 ¹	650.2	267.9	309.9	72.4	2	2
1993/1994	638.6 ¹	638.6	293.9	275.7	69.0	2	2
1994/1995	664.7 ¹	664.7	305.0	290.6	69.1	2	2
1995/1996	681.6 ¹	681.6	318.3	298.6	64.8	2	2
1996/1997	693.5 ¹	693.5	327.8	302.3	63.5	2	2
1997/1998	725.0 ¹	725.0	354.2	302.6	68.2	2	2
1998/1999	760.0 ¹	760.0	359.3	348.5	52.2	2	2
1999/2000	780.0 ¹	780.0	363.7	358.5	57.8	2	2
2000/2001	809.4 ¹	809.4	357.8	370.9	80.7	2	2
2001/2002	835.9 ¹	835.9	355.4	399.3	81.2	2	2
2002/2003	879.5	867.1	361.1	428.7	76.6	11.8	1.3
2003/2004	890.2	878.2	359.1	430.8	87.0	12.0	1.3
2004/2005	898.3	885.8	359.2	429.2	96.1	12.5	1.3
2005/2006	905.9	893.4	357.9	436.1	98.1	12.5	1.3
Girls							
1991/1992	641.8 ¹	641.8	262.1	295.9	83.8	2	2
1992/1993	606.9 ¹	606.9	251.8	294.4	60.7	2	2
1993/1994	585.7 ¹	585.7	277.0	256.4	52.3	2	2
1994/1995	608.0 ¹	608.0	288.5	272.0	47.5	2	2
1995/1996	627.2 ¹	627.2	294.0	287.3	45.8	2	2
1996/1997	633.4 ¹	633.4	310.9	279.5	42.9	2	2
1997/1998	647.0 ¹	647.0	332.6	271.1	43.3	2	2
1998/1999	674.5 ¹	674.5	331.0	310.6	33.0	2	2

<i>Year</i>	<i>No. of children</i>	<i>Day attendance</i>	<i>Grades 1-4</i>	<i>Grades 5-9</i>	<i>Grades 10-11</i>	<i>Evening attendance (shift) and external pupils</i>	<i>Special needs pupils</i>
1999/2000	683.5 ¹	683.5	328.2	316.1	39.2	²	²
2000/2001	693.7 ¹	693.7	322.3	320.4	50.9	²	²
2001/2002	722.6 ¹	722.6	329.1	344.7	48.8	²	²
2002/2003	757.2	751.7	333.8	369.9	47.6	5.5	0.4
2003/2004	769.8	763.5	331.2	375.0	56.9	6.3	0.4
2004/2005	775.5	769.2	333.9	372.8	62.1	6.3	0.4
2005/2006	776.1	770.1	329.9	377.6	62.2	6.0	0.4

¹ Children attending evening shift in schools and children with special needs not included.

² Indicator introduced from 2002/2003 academic year.

**General education: day schools, urban and rural areas
(beginning of academic year, units)**

<i>Year</i>	<i>Total no. general education establishments</i>	<i>Type of school</i>					
		<i>Primary schools</i>	<i>General basic schools</i>	<i>Secondary schools</i>	<i>Specialized schools (arts)</i>	<i>Specialized schools (sciences)</i>	<i>Special needs schools</i>
1991/1992	3 179	614	634	1 916	1	—	14
1992/1993	3 270	623	690	1 935	5	4	13
1993/1994	3 334	625	707	1 967	15	8	12
1994/1995	3 400	644	739	1 976	11	18	12
1995/1996	3 416	654	737	1 985	12	18	10
1996/1997	3 432	663	800	1 923	12	32	2
1997/1998	3 484	664	812	1 950	18	25	15
1998/1999	3 522	663	834	1 951	24	37	13
1999/2000	3 551	675	829	1 982	24	29	12
2000/2001	3 557	663	834	1 967	32	51	10
2001/2002	3 649	660	839	2 022	51	66	11
2002/2003	3 684	662	848	2 044	59	60	11
2003/2004	3 701	667	842	2 061	64	56	11
2004/2005	3 731	671	834	2 098	67	50	11
2005/2006	3 761	671	833	2 112	77	57	11
Urban areas							
1991/1992	418	26	22	361	1	—	8
1992/1993	430	27	20	368	5	3	7
1993/1994	437	28	23	357	15	7	7
1994/1995	448	28	31	359	10	13	7
1995/1996	467	43	31	389	—	—	4

Year	Total no. general education establishments	Type of school					
		Primary schools	General basic schools	Secondary schools	Specialized schools (arts)	Specialized schools (sciences)	Special needs schools
1996/1997	441	30	35	345	10	21	—
1997/1998	467	30	37	355	13	20	12
1998/1999	491	34	46	353	22	26	10
1999/2000	494	37	46	353	21	33	4
2000/2001	485	34	41	346	25	35	4
2001/2002	536	34	44	368	37	45	8
2002/2003	540	34	45	367	40	46	8
2003/2004	550	37	45	369	45	46	8
2004/2005	565	46	46	376	50	39	8
2005/2006	571	44	46	377	53	43	8
Rural areas							
1991/1992	2 761	588	612	1 555	—	—	6
1992/1993	2 840	596	670	1 567	—	1	6
1993/1994	2 897	597	684	1 610	—	1	5
1994/1995	2 952	616	708	1 617	1	5	5
1995/1996	2 949	611	716	1 616			6
1996/1997	2 991	632	766	1 578	2	11	2
1997/1998	3 017	634	775	1 595	5	5	3
1998/1999	3 031	629	788	1 599	2	10	3
1999/2000	3 057	638	783	1 609	3	16	8
2000/2001	3 072	629	793	1 621	7	16	6
2001/2002	3 113	626	795	1 654	14	21	3
2002/2003	3 144	628	802	1 678	19	14	3
2003/2004	3 151	630	797	1 692	19	10	3
2004/2005	3 166	625	788	1 722	17	11	3
2005/2006	3 190	627	787	1 735	24	14	3

Children completing schooling in general-education establishments (thousands)

Year	Total no. attaining general school leaving certificate	Day attendance		Evening attendance	
		Total	Girls*	Total	Girls**
1991	110.9	110.3		0.6	
1992	106.5	106.2		0.3	
1993	102.2	101.9		0.3	
1994	102.2	101.9		0.3	
1995	99.1	98.6		0.5	

<i>Year</i>	<i>Total no. attaining general school leaving certificate</i>	<i>Day attendance</i>		<i>Evening attendance</i>	
		<i>Total</i>	<i>Girls*</i>	<i>Total</i>	<i>Girls**</i>
1996	104.9	103.3		1.6	
1997	102.1	101.8		0.3	
1998	54.2	53.8		0.3	
1999	117.8	117.2		0.6	
2000	117.4	116.7		0.7	
2001	105.8	105.7	47.8	0.1	
2002	105.0	104.9	46.9	0.1	0.5
2003	144.0	143.6	64.0	0.4	0.1
2004	144.5	144.4	63.8	0.1	0.03
2005	149.8	149.8	68.2	0.04	0.01

<i>Year</i>	<i>Total no. attaining secondary school leaving certificate</i>	<i>Day attendance</i>		<i>Evening attendance</i>	
		<i>Total</i>	<i>Girls*</i>	<i>Total</i>	<i>Girls**</i>
1991	89.1	85.4		3.7	
1992	81.6	79.9		1.7	
1993	67.4	65.7		1.7	
1994	56.4	53.7		2.7	
1995	57.9	55.2		2.7	
1996	53.5	51.6		1.9	
1997	50.6	48.3		2.3	
1998	50.7	48.8		1.9	
1999	51.7	50.3		1.4	
2000	36.8	33.4		3.4	
2001	65.2	61.1	22.5	4.1	
2002	70.3	65.2	24.1	5.1	1.5
2003	63.3	58.3	21.3	5.0	1.8
2004	64.9	59.4	23.2	5.5	2.0
2005	79.6	75.3	29.2	4.3	1.5

* Records begin 2001.

** Records begin 2002.