



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Concluding observations on the seventh periodic report of Tajikistan*

1. The Committee considered the seventh report of Tajikistan ([CEDAW/C/TJK/7](#)) at its 2033rd and 2034th meetings (see [CEDAW/C/SR.2033](#) and [CEDAW/C/SR.2034](#)), held on 31 January 2024. The list of issues and questions raised by the pre-sessional working group is contained in [CEDAW/C/TJK/Q/7](#), and the responses of Tajikistan are contained in [CEDAW/C/TJK/RQ/7](#).

A. Introduction

2. The Committee appreciates the submission by the State party of its seventh periodic report. It also appreciates the State party's follow-up report to the previous concluding observations of the Committee ([CEDAW/C/TJK/FCO/6](#)) and its written replies to the list of issues and questions raised by the pre-sessional working group. It welcomes the oral presentation by the delegation and the further clarifications provided in response to the questions posed orally by the Committee during the dialogue.

3. The Committee commends the State party on its high-level delegation, which was headed by the Minister of Justice, Muzaffar Ashuriyon, and included the Minister of Labour, Migration and Employment, Gulnora Hasanzoda; representatives of the Executive Office of the President of the Republic of Tajikistan, the Committee on Women and Family Affairs, the Ministry of the Interior, the Ministry of Health and Social Protection of the Population and the Ministry of Justice; the Permanent Representative of Tajikistan to the United Nations and other international organizations in Geneva, Sharaf Sheralizoda; and other representatives of the Permanent Mission of Tajikistan to the United Nations Office and other international organizations in Geneva.

B. Positive aspects

4. The Committee welcomes the progress achieved since the consideration in 2018 of the State party's sixth periodic report ([CEDAW/C/TJK/6](#)) in undertaking legislative reforms, in particular the adoption of the following:

* Adopted by the Committee at its eighty-seventh session (29 January–16 February 2024).



(a) Equality and Elimination of All Forms of Discrimination Act (No. 1890), in 2022;

(b) Legal Aid Act, in 2020.

5. The Committee welcomes the State party's efforts to improve its institutional and policy framework aimed at accelerating the elimination of discrimination against women and promoting gender equality, such as the adoption or establishment of the following:

(a) Strategy on protecting human rights for the period up to 2038, in 2023;

(b) State programme for the development of women's entrepreneurship in Tajikistan for the period up to 2027, in 2023;

(c) National action plan to combat trafficking in persons in Tajikistan for the period 2022–2024, in 2022;

(d) State programme for the education, selection and placement of capable women and girls in leadership positions for the period 2023–2030, in 2022;

(e) Union of Women Judges of Tajikistan, in 2022;

(f) National strategy for promoting the role of women in the Republic of Tajikistan for the period 2021–2030 and plan of action for implementation thereof for the period 2021–2025, in 2021.

C. Sustainable Development Goals

6. **The Committee welcomes the international support for the Sustainable Development Goals and calls for the realization of de jure (legal) and de facto (substantive) gender equality, in accordance with the provisions of the Convention, throughout the process of implementing the 2030 Agenda for Sustainable Development. The Committee recalls the importance of Goal 5 and of the mainstreaming of the principles of equality and non-discrimination throughout all 17 Goals. It urges the State party to recognize women as the driving force of the sustainable development of the State party and to adopt relevant policies and strategies to that effect.**

D. Parliament

7. **The Committee stresses the crucial role of the legislative power in ensuring the full implementation of the Convention (see [A/65/38](#), part two, annex VI). It invites the Majlisi Oli, in line with its mandate, to take the necessary steps regarding the implementation of the present concluding observations between now and the submission of the next periodic report under the Convention.**

E. Principal areas of concern and recommendations

Withdrawal of declaration

8. The Committee notes that the State party is considering withdrawing the declaration that it made upon accession to the Optional Protocol to the Convention indicating that it would opt out of the confidential inquiry procedure under articles 8 and 9 of the Optional Protocol. The Committee remains concerned, however, that, at present, the declaration remains valid.

9. **The Committee reiterates its recommendation (CEDAW/C/TJK/CO/6, para. 10) that the State party consider withdrawing its declaration regarding the competence of the Committee provided for under articles 8 and 9 of the Optional Protocol.**

Applicability and visibility of the Convention, the Optional Protocol thereto and the Committee's general recommendations

10. The Committee is concerned about the lack of specific and systematic capacity-building for the judiciary, prosecutors, lawyers and law enforcement officers on the application of the Convention and the Committee's general recommendations and jurisprudence under the Optional Protocol and the absence of information and training thereon in law school curricula. The Committee also notes with concern:

(a) The lack of court decisions in which direct reference is made to the Convention;

(b) The lack of a comprehensive implementation mechanism for recommendations made by the Committee and other human rights mechanisms.

11. **The Committee recommends that the State party:**

(a) **Carry out systematic capacity-building for judges, prosecutors, lawyers and law enforcement officials on the application of the Convention in the justice system and judicial decision-making and on the interpretation of national legislation in the light of the Convention, and include the study of the Convention in the curriculum for law students;**

(b) **Establish a national mechanism for reporting, implementation and follow-up, taking into account the four key capacities of engagement, coordination, consultation and information management of such a mechanism, and ensure that civil society organizations that promote women's rights and gender equality are consulted in its work.**

Constitutional and legislative framework and definition of equality and non-discrimination

12. The Committee notes with appreciation that the principle of gender equality is enshrined in article 17 of the Constitution and that gender-based discrimination is criminalized under article 143, part 1, of the Criminal Code. It welcomes the adoption, in 2022, of the Equality and Elimination of All Forms of Discrimination Act (No. 1890), which also provides for a review of draft laws and regulations from a non-discrimination perspective. However, the Committee notes with concern:

(a) The lack of legal provisions in Act No. 1890 explicitly prohibiting de facto discrimination, intersectional and structural forms of discrimination and discrimination based on sexual orientation and gender identity;

(b) The limited awareness among women of the available legal recourse to claim their rights under article 143, part 1, of the Criminal Code and Act No. 1890 and of available remedies upon the infringement of those rights;

(c) The lack of information on the number of laws reviewed under Act No. 1890.

13. **The Committee recommends that the State party:**

(a) **Take steps to prohibit all forms of de jure and de facto discrimination and intersectional and structural forms of discrimination;**

(b) **Raise awareness among the general public, with specific outreach to women and girls, of anti-discrimination legislation and the remedies available to victims;**

(c) **Empower the working group on improving laws and regulations, eliminating gender stereotypes, protecting the rights of women and preventing domestic violence to systematically review the compatibility of existing and draft legislation with Act No. 1890 and ensure expeditious follow-up on its recommendations.**

Discriminatory laws

14. The Committee notes with concern that, under article 35 of the Constitution, the employment of women and children in underground works and in harmful conditions is prohibited and that, under the Labour Code, women are still banned from 150 professions. It further notes with concern that overprotective provisions such as those contained in article 35 impose upon women a form of protection that is rooted in gender stereotypes.

15. **The Committee recommends that the State party harmonize the Labour Code with the new Equality and Elimination of All Forms of Discrimination Act and repeal without delay the categorical ban on the exercise of 150 professions by women. It also recommends that the State party, in the light of technological developments, adopt the corresponding safeguards against hazardous working conditions for both women and men.**

Women and peace and security

16. The Committee notes with appreciation that the State party is hosting the largest number of refugees in Central Asia, predominantly from Afghanistan. It is concerned, however, about the continued detention and deportation of Afghan refugees, reportedly without following procedure or providing justification. While noting that such actions predominantly affect men, the Committee is concerned that many women have nevertheless been compelled to return to Afghanistan owing to their lack of means to sustain their children on their own in Tajikistan. The Committee is concerned that this may expose women to a violation of most rights under the Convention, as they are compelled to return to a country where an institutionalized regime of systematic oppression by the de facto authorities may be characterized as gender persecution.

17. **The Committee recalls its general recommendation No. 32 (2014) on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women, and urges the State party:**

(a) **To ensure that a gender-sensitive asylum policy and legislative framework are in place to guarantee the security and protection of refugee and asylum-seeking women, with particular attention given to Afghan women;**

(b) **To establish the necessary safeguards to avoid the separation of families of asylum-seekers and refugees and ensure that they are provided the necessary social protection.**

18. The Committee notes with concern that the State party's national action plan for the implementation of Security Council resolution [1325 \(2000\)](#) on women and peace and security has expired. It also notes with concern the recent escalation of border tensions between Tajikistan and Kyrgyzstan and the long-standing tensions in the eastern Gorno-Badakhshan autonomous region.

19. **The Committee recalls its general recommendation No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations and recommends that the State party adopt a new national action plan for the implementation of Security Council resolution 1325 (2000) that includes a clearly defined target for the equal representation of women and men in decision-making in conflict prevention, reconstruction, rehabilitation and peacekeeping. Importantly, in view of its geographical proximity and extraterritorial obligations, the State party should continue to engage Afghan women, including women from ethnic minorities, in the women and peace and security agenda.**

Shrinking civic space

20. The Committee remains concerned about the shrinking civic space for women, including women from religious minorities, women dissenters, women human rights defenders, women journalists and women online activists, who face violations of their human rights and restrictions on their lawful activities in the State party, including:

(a) Closure of a high number of non-governmental organizations, including non-governmental organizations headed by women; arrest and detention of well-known women human rights defenders, who in some cases have been sentenced to long prison sentences without due process; and cases in which three women human rights defenders had to leave the State party because of reprisals by security bodies or to evade arrest;

(b) Reported acts of torture and ill-treatment, intimidation, threats, harassment and violence, including online violence, against women human rights defenders, journalists and bloggers and, in some cases, against their families.

21. **The Committee recommends that the State party take immediate steps to ensure that all women can exercise their rights to freedom of expression and peaceful assembly and association without interference, and that it further strengthen the rule of law. The Committee reminds the State party that any erosion of such rights constitutes a violation of the Convention and other human rights treaties, that freedom from torture and ill-treatment are non-derogable rights and that anyone who violates those rights should be held accountable under law. It also urges the State party:**

(a) **To investigate, prosecute and appropriately punish, without impunity, all acts of human rights violations against women human rights defenders, journalists and online activists and their families, including when committed by police officers or other public officials, and provide victims with effective remedies;**

(b) **To prohibit and punish the arbitrary and extrajudicial arrest, detention, prosecution and unfair trial of women human rights defenders, journalists and other political dissenters, as well as the use of other means of dissuading or discouraging them from exercising their right to dissent;**

(c) **To ensure the right to free speech and information and freedom of expression for news agencies and non-governmental organizations, especially those headed by women.**

Women's access to justice

22. The Committee notes with concern that:

(a) There is a lack of awareness among women and girls of their rights under the Convention and relevant national legislation, the justiciability of those rights and the remedies available to claim those rights;

(b) Survivors of gender-based violence against women are frequently required to return to, and be questioned at, the scene of the crime during investigations and are exposed to potential questioning by the alleged perpetrator during court proceedings;

(c) There is an absence of systematic capacity-building for the judiciary on gender-responsive court procedures and on appropriate measures taken to combat gender bias in judiciary, adjudicatory and investigative bodies.

23. Recalling its general recommendation No. 33 (2015) on women's access to justice, the Committee recommends that the State party:

(a) **Strengthen programmes to raise access to justice for women and girls and increase their awareness of their rights and the remedies available to claim those rights, in close collaboration with traditional and community leaders and civil society organizations;**

(b) **Review rules of evidence and implementation thereof, including transparent, confidential and gender-responsive court procedures to avoid stigmatization and secondary revictimization of survivors of gender-based violence against women, and, furthermore, strengthen victim protection in the justice system and abolish the requirement for survivors to return to the scene of the crime;**

(c) **Provide systematic capacity-building for judges, prosecutors, lawyers and law enforcement officials on gender equality and gender-responsive court procedures, and establish an accountability mechanism to address judicial gender bias.**

24. The Committee notes the moratorium on the death penalty but is concerned that the State party retains the death penalty in its laws, which may jeopardize the right to life of women in conflict with the law.

25. The Committee recommends that the State party abolish, without further delay, the death penalty and review or commute all death sentences.

National machinery for the advancement of women

26. The Committee welcomes the increase in the human and financial resources allocated to the Committee on Women and the Family, which is responsible for advancing women's rights and coordinating gender policies. It also welcomes the national strategy for promoting the role of women in Tajikistan for the period 2021–2030, which features a cross-sectoral approach to women's rights, and the corresponding implementation plan, while noting the plan's limited validity (until 2025). It notes with appreciation the establishment of a gender equality group within the National Development Council with the aim of achieving Sustainable Development Goal 5. It notes with concern that:

(a) The Committee on Women and the Family still lacks the mandate to coordinate all departments and agencies responsible for the advancement of women;

(b) There is a lack of follow-up on the recommendations for legislative amendments by the working group on improving laws and regulations, eliminating gender stereotypes, protecting the rights of women and preventing domestic violence;

(c) Women's rights organizations are not meaningfully involved and consulted in the formulation, adoption and implementation of legislation and policies on gender equality;

(d) There is a lack of an effective mechanism to monitor and evaluate the national strategy.

27. **The Committee recommends that the State party:**

(a) **Strengthen the mandate of the national machinery for the advancement of women and enhance its capacity to coordinate and monitor the elaboration and implementation of legislation and policies in the field of gender equality;**

(b) **Institute and provide for a mandatory gender analysis of all draft laws, policies and programmes to assess their compatibility with the Convention, and ensure swift follow-up on the recommendations of the working group on improving laws and regulations, eliminating gender stereotypes, protecting the rights of women and preventing domestic violence;**

(c) **Ensure the systematic and meaningful participation of women's rights organizations, including those representing women with disabilities, ethnic minorities and other underrepresented women, in the formulation, adoption and implementation of draft laws and policies on gender equality;**

(d) **Allocate adequate resources to implement the national strategy for promoting the role of women in Tajikistan for the period 2021–2030, extend the corresponding implementation plan to 2030 and monitor and assess the impact of the implementation thereof.**

National human rights institution

28. The Committee reiterates its previous concern ([CEDAW/C/TJK/CO/6](#), para. 17) that the Commissioner for Human Rights has limited capacity to investigate and address complaints submitted by women and lacks independence.

29. **The Committee reiterates its previous recommendations ([CEDAW/C/TJK/CO/6](#), para. 18) and calls upon the State party to strengthen the Office of the Commissioner for Human Rights by providing it with adequate human, technical and financial resources to discharge its mandate effectively, independently and in compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), in particular as it pertains to protecting women's rights and addressing complaints from women and girls in a confidential, gender-sensitive manner.**

Temporary special measures

30. The Committee welcomes the adoption of quotas and the provision of scholarships for girls to enter university and the provision of grants for women entrepreneurs. It is concerned, however, that these temporary special measures are insufficient to address the underrepresentation of women in education and in the economy and that the temporary special measures are limited to those fields even though women remain underrepresented in nearly all other fields of life as well. It also notes with concern:

(a) The lack of temporary special measures to address the underrepresentation of disadvantaged groups of women, including women belonging to ethnic minorities, women with disabilities, women living with HIV, women in poverty, former women prisoners, rural women and refugee and asylum-seeking women, who continue to be disadvantaged because of evolving discriminatory structures, institutions and systems;

(b) The limited understanding on the part of State officials and the general public of the non-discriminatory nature, purpose and necessity of temporary special measures.

31. The Committee recalls its general recommendation No. 25 (2004) on temporary special measures and recommends that the State party:

(a) Collect disaggregated data on intersecting forms of discrimination against women and develop, in consultation with women's rights organizations, targeted temporary special measures in all branches of government and other sectors of society with a view to accelerating the achievement of substantive equality between women, including women facing intersecting forms of discrimination, and men;

(b) Promote a systematic understanding among State officials and the general public of the non-discriminatory nature and transformative value of temporary special measures and of the consequences of a failure to use such measures as a tool to advance substantive equality and national development;

(c) In line with the Committee's general recommendations No. 5 (1988) on temporary special measures, No. 8 (1988) on implementation of article 8 of the Convention, No. 23 (1997) on women in political and public life and No. 28 (2010) on the core obligations of States parties under article 2 of the Convention, adopt temporary special measures, in accordance with article 4 (1) of the Convention and general recommendation No. 25, to accelerate the achievement of substantive equality between women and men in areas where women are traditionally underrepresented or disadvantaged, including in the fields of political and public life, education, the economy and employment and in the area of women representing the government at the international level and participating in the work of international organizations.

Gender stereotypes

32. The Committee remains concerned that the State party still has not adopted a comprehensive strategy aimed at eliminating gender stereotypes and notes that patriarchal stereotypes remain deeply entrenched in society. It also notes with concern the absence of measures to ensure that teaching materials at all levels of education promote a non-stereotypical portrayal of women and men, despite a recommendation made to that effect to the Ministry of Education and Science by the working group on improving laws and regulations, eliminating gender stereotypes, protecting the rights of women and preventing domestic violence.

33. The Committee reiterates its previous recommendations ([CEDAW/C/TJK/CO/4-5](#), para. 16 (a), and [CEDAW/C/TJK/CO/6](#), para. 24 (a)) and recommends that the State party expeditiously design, adopt and implement a comprehensive strategy to eradicate gender stereotypes and patriarchal attitudes towards women and girls, in particular the dominant and discriminatory perception of the role of women in society and in the family, with the participation of relevant ministries, civil society organizations, community and religious leaders, schoolteachers and members of academia, the business sector and the media. It also recommends that the State party take swift action to ensure that the Ministry of Education and Science implement the recommendation by the working group on improving laws and regulations, eliminating gender stereotypes, protecting the rights of women and preventing domestic violence to ensure that teaching materials at all levels of education promote a non-stereotypical portrayal of women and men.

Harmful practices

34. The Committee notes with concern that the State party has the highest rate of child marriage in the Central Asian region, with the percentage of girls who are married, divorced or in an informal union amounting to 14.3 per cent. It notes with

concern that child marriage is often administered as a religious ceremony, facilitated by the use of falsified birth certificates and the frequent use of an exception under article 13 of the Family Code.

35. The Committee recalls joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices and recommends that the State party establish mechanisms to detect, protect and provide support services to girl victims of child marriage and de facto unions and that it:

(a) **Amend article 13 of the Family Code to remove any exception to the minimum age of marriage of 18 years;**

(b) **Keep a record of all birth certificates at civil registry offices and require civil registration of the marriage before a religious wedding ceremony may take place;**

(c) **Conduct awareness-raising campaigns in collaboration with religious leaders to prevent child marriage;**

(d) **Enforce the criminalization of child and forced marriage with penalties against those who aid and abet in such unions, while ensuring that the children involved are protected and not criminalized.**

Gender-based violence against women

36. The Committee is concerned about delays in the adoption of the new draft criminal code, under which domestic violence will be criminalized. It is also concerned that gender-based violence against women is not explicitly criminalized, despite remaining a significant problem. It also notes with concern that:

(a) There is no consent-based definition of rape;

(b) Marital rape is not specifically criminalized in the State party;

(c) Sexual harassment is not specifically criminalized but rather prosecuted as “petty hooliganism”;

(d) Online violence and harassment is not criminalized despite a high number of cases, including hate speech, doxing, the posting of intimate content without consent, revenge porn and deep fakes, against women, in particular women activists and women in political and public life;

(e) There is a lack of support services for victims of gender-based violence against women other than in cases of domestic violence, only one out of four shelters for victims of domestic violence is State-funded, and there is a lack of victim support services that are accessible for women with disabilities;

(f) There is a lack of a clear process leading to access to justice for victims of gender-based violence against women;

(g) There is a lack of systematic data collection on gender-based violence against women.

37. The Committee recalls its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, and recommends that the State party:

(a) **Review the draft criminal code with a view to criminalizing all forms of gender-based violence against women; amend articles 138, 139 and 140 of the Criminal Code to ensure that the definition of rape is based solely on the absence**

of a free and voluntary expression of consent; specifically criminalize marital rape, sexual harassment and online violence; expeditiously adopt the amended draft criminal code; conduct training for law enforcement officials, judges and other officers of the justice system to ensure implementation of the code; and, furthermore, conduct awareness-raising campaigns about the new provisions for the general public;

(b) Strengthen regulatory procedures and due diligence mechanisms to hold social media companies accountable for user-generated content used in incidents of online violence and harassment and for prompt removal of such content; ensure that such companies have effective reporting mechanisms; and ensure that there are processes in place for the State party to bring perpetrators of online violence and harassment to justice;

(c) Provide or adequately fund support services and shelters for survivors of gender-based violence against women, including domestic violence, that are accessible and tailored to the needs of women in all their diversity, including women with disabilities, including by establishing publicly funded services and shelters and providing financial support to non-governmental organizations that provide services and shelters; and strengthen the use, enforcement and monitoring of protection orders, including restraining orders, to evict perpetrators from the home;

(d) Regularly collect, analyse and publish statistical data on gender-based violence against women, disaggregated by age and by relationship between the victim and perpetrator, in order to strengthen the formulation of tailored measures to prevent and combat gender-based violence against women;

(e) Renew the State programme for the prevention of domestic violence in Tajikistan.

Trafficking and exploitation of prostitution

38. The Committee notes with appreciation the national action plan to combat trafficking in persons in Tajikistan for the period 2022–2024 and the provision of systematic training on anti-trafficking legislation to law students. However, it notes with concern the extent of trafficking in, and forced labour of, women and girls in the State party. It also notes with concern that:

(a) Procedures for early identification of victims of trafficking, for case management and for victim protection are insufficiently functional, and services and shelters are, to a large extent, run by non-governmental organizations and not tailored to the needs of trafficking victims;

(b) Article 130 (2), on the use of slave labour, and article 132, on the recruitment of persons for exploitation, of the Criminal Code were repealed in 2019;

(c) The number of investigations, prosecutions and convictions for trafficking is low;

(d) Measures to address risk factors exposing women and girls to the risk of trafficking, including feminization of poverty, are insufficient.

39. The Committee recalls its general recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration and recommends that the State party:

(a) Provide capacity-building for the judiciary, immigration officers, police, border guards and social workers on the application of anti-trafficking legislation and gender-sensitive procedures for the early identification and

referral of victims to appropriate services, including shelters, that are tailored to their needs; establish publicly funded services and shelters to meet its responsibility towards victims; and provide financial support to non-governmental organizations that provide such services;

(b) Issue temporary residence permits to victims of trafficking, irrespective of their ability or willingness to cooperate with the prosecution authorities;

(c) Ensure that all cases of trafficking are investigated and prosecuted and that perpetrators and their accomplices receive sentences that are commensurate with the gravity of the crime;

(d) Make the necessary legal amendments to ensure the full criminalization of slavery and the recruitment of persons for exploitation;

(e) Conduct awareness-raising campaigns on the risks of trafficking and provide income-generating opportunities and financial support to women and girls who are at risk of trafficking.

40. The Committee notes with concern that women in prostitution face fines or administrative arrest and are at increased risk of gender-based violence against women, including by law enforcement officers, in the State party.

41. **The Committee recommends that the State party conduct educational and awareness-raising campaigns targeted at men and boys to address the objectification of women and demand for prostitution. It also recommends that the State party:**

(a) Ensure that women in prostitution can report gender-based violence against women, including by the police, without fear of stigmatization or reprisals;

(b) Discontinue immediately the administrative practice of arresting and imposing fines on women in prostitution;

(c) Implement adequately resourced programmes to create educational and employment opportunities and access to social benefits for women who are at risk of entering prostitution or who are already engaged in prostitution and wish to leave it.

Equal participation in political and public life

42. The Committee notes with concern that the target, established in the State programme on equal rights and opportunities for women and men for the period 2001–2010, of achieving at least 30 per cent representation of women in the legislative, executive and judicial branches has not been achieved. It also notes with concern that the 30 per cent target sends the message that unequal representation of women and men is acceptable. It further notes with concern that:

(a) Women represent only 24 per cent of parliamentarians in the lower house, 26 per cent of parliamentarians in the upper house and 20 per cent of judiciary and civil service officials, that there are no women prosecutors and that only one Ambassador in the State party is a woman;

(b) Stereotypes that women are not competent to hold decision-making positions in political and public life persist.

43. **The Committee recommends that the State party move from a target for representation of women in decision-making positions of 30 per cent to a target of 50 per cent, without exception, and that it:**

(a) **Fully implement the letter and spirit of the State party's law on temporary special measures across the different branches of the government, develop zipper systems for electoral lists of political parties, provide targeted campaign financing to women candidates, ensure gender equality in nomination lists for international bodies and in public service positions, including positions in the judiciary and the foreign service;**

(b) **Conduct awareness-raising campaigns aimed at encouraging women candidates to stand for election and promoting the understanding that women's equal representation in decision-making and international bodies is a human right and an essential condition for achieving political stability and sustainable development in the State party;**

(c) **Pay particular attention to the representation of groups of women who are disadvantaged because of evolving discriminatory structures, institutions and systems, by taking targeted measures to ensure that those women can benefit equally from the above-mentioned measures.**

Nationality

44. The Committee notes with concern that women and girls constitute 70 per cent of stateless persons and persons at risk of statelessness in the State party, in particular in rural areas. It also notes with concern that:

(a) The amnesty law adopted in 2019, under which stateless persons and foreign nationals were allowed to regularize their legal status without penalties, expired in December 2022, and the coronavirus disease (COVID-19) pandemic and associated restrictions prevented many persons, in particular women, from submitting timely applications for the regularization of their legal status;

(b) There are reports that stateless women lack access to housing, social protection and employment opportunities and face deportation, discrimination and extortion by local officials.

45. **The Committee recommends that the State party:**

(a) **Ensure that stateless women, women of undetermined nationality and women at risk of statelessness and their children have adequate access to identity documents, justice, employment, health care, housing and social protection;**

(b) **Renew the amnesty law to enable stateless persons and foreigners living in the State party to regularize their legal status;**

(c) **Accede to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.**

Education

46. The Committee notes with appreciation the priority given to the education of girls and the recognition of its importance for the country's future. It also welcomes the inclusion of gender equality objectives in the national strategy for the development of education for the period up to 2030 and the prioritization of the enrolment of girls in higher vocational education for technical and engineering professions. It notes with concern, however, that sectoral plans for the implementation of the strategy do not include measures aimed at addressing the gender imbalance in science, technology, engineering and mathematics. It also notes with concern that:

(a) Gender imbalances in the education system persist, notably in secondary education after the ninth grade, when the dropout rate for girls amounts to 30 per cent,

and in vocational education, where the percentage of students who are girls decreased from 27 per cent in 2006 to 19.3 per cent in 2020;

(b) Girls and women continue to be oriented towards fields of study in which they have traditionally been overrepresented and constitute a minority of students in the sciences, which also translates into their overrepresentation in career paths traditionally considered suitable for women and their underrepresentation in career paths in the sciences;

(c) Women and girls who are disadvantaged and marginalized because of evolving discriminatory structures, institutions and systems have limited access to education, including women from ethnic minorities, women with disabilities, women living with HIV, and rural women;

(d) Access for women and girls to recreational and professional sports is limited.

47. Recalling its general recommendation No. 36 (2017) on the right of girls and women to education, the Committee recommends that the State party promote the education of girls at all levels as a basis for their empowerment and that it:

(a) Conduct an analysis of the causes of the underrepresentation of girls in the education system and their high rates of school dropout with a view to informing a strategic approach aimed at addressing those causes;

(b) Adopt temporary special measures, such as special scholarships, and provide career counselling for girls with a view to promoting non-traditional educational choices and career paths in such fields as science, technology, engineering and mathematics and information and communications technology;

(c) Adopt targeted measures, including temporary special measures, aimed at eliminating discriminatory structures, institutions and systems that hamper access to education for women and girls from disadvantaged groups;

(d) Incentivize girls and women to pursue studies in fields in the innovation economy and in business studies programmes that combine academic coursework with practical experiences at start-ups working in such fields as artificial intelligence, machine learning systems and other emerging technologies;

(e) Address traditional stereotypes, provide athletic facilities that allow for the participation of girls and women in physical activities and sports that have traditionally been dominated by men at both co-educational and single-sex educational institutions, and establish safeguards and reporting mechanisms to prevent and address sexual harassment in sports.

Employment

48. The Committee notes with concern the limited access of women to formal employment due to the disproportionate burden of unpaid domestic and agricultural work placed on women, conflicting family responsibilities and insufficient childcare facilities. It also notes with concern:

(a) The concentration of women in the informal economy and in low-paid jobs in agriculture, education and health care, with no or limited access to social protection and maternity protection;

(b) The lack of adaptation of the labour sector to the needs and lived realities of women with disabilities, mothers with several children, women heads of household and pregnant women;

(c) The persistent gender wage gap in the State party, which is the highest in Central Asia.

49. The Committee recommends that the State party:

(a) **Increase women's access to employment in the formal economy, including by dismantling gender stereotypes concerning the traditional roles of women, facilitating the transfer of women from informal to formal employment, ensuring their access to continuous training, including online training, and conducting awareness-raising campaigns aimed at employers on gender equality, and adopt temporary special measures to promote the equal participation of women in the labour market;**

(b) **Allocate the necessary resources to strengthen access to social protection and maternity protection for women in the informal economy and extend social protection to women performing domestic and other unpaid work, with a view to strengthening women's autonomy;**

(c) **Strengthen access to the labour market for women with disabilities, including by ensuring that workplaces are accessible;**

(d) **Ensure flexible working arrangements, promote equal sharing of domestic and family responsibilities between women and men, introduce mandatory family leave and paternity leave and increase the number of affordable quality childcare facilities in the State party;**

(e) **Review wages in all sectors, apply gender-sensitive analytical job classification and evaluation methods and strictly enforce the principle of equal pay for work of equal value;**

(f) **Establish quotas for women in the innovation economy and provide regular upskilling training for jobs of the future, including in artificial intelligence, large language models, fintech, biotech, and green technology.**

Health

50. The Committee welcomes the measures taken by the State party to strengthen access to health for women and their children. It notes with concern, however:

(a) The maternal mortality rate in the State party, which had decreased but increased again during the COVID-19 pandemic;

(b) The prevalence of breast cancer and cervical cancer, which account for 23.3 and 10.2 per cent, respectively, of all new cancer cases in the State party;

(c) The limited access among women and girls ages 15 to 49 to affordable modern contraceptives;

(d) The limited access to adequate health services among women and girls with disabilities and rural women in the State party.

51. The Committee recommends that the State party:

(a) **Improve access for women to antenatal, perinatal and postnatal health services to reduce maternal mortality rates, including by training midwives and other relevant health professionals, especially in rural areas, and assess and register the causes of death to tailor training accordingly;**

(b) **Adopt a strategy to prevent and address breast cancer and cervical cancer, including by raising awareness among women and girls and ensuring free access to screening, treatment and vaccination against the human**

papillomavirus, and raise awareness among both women and men on virus prevention methods;

(c) Ensure that women and girls have affordable or free access to sexual and reproductive health services and modern contraceptives throughout the State party and conduct public awareness campaigns about men's responsibility in relation to contraception;

(d) Ensure the availability and accessibility of health-care services for rural women and women and girls with disabilities, including through mobile health units, efforts to cater to the special health needs of women and girls with disabilities and accessible, frequent and safe public transport.

HIV/AIDS

52. The Committee notes with concern the increase in the number of women with HIV/AIDS in the State party and the insufficient access to antiretroviral medicines. It also notes with concern:

(a) Article 125 of the Criminal Code, under which transmission of and exposure to HIV are criminalized, and the decrees of 25 September 2018 and 1 October 2004, under which persons living with HIV are prohibited from obtaining a medical degree, adopting a child or acting as legal guardian;

(b) The requirement to provide information on HIV status upon employment;

(c) The stigmatization and social exclusion of women and girls living with HIV/AIDS in the State party.

53. The Committee recommends that the State party ensure the provision of free anti-retroviral treatment for women and men living with HIV and that it:

(a) Decriminalize the transmission of HIV/AIDS by revising article 125 of the Criminal Code, revise the decrees of 25 September 2018 and 1 October 2004 to allow persons living with HIV to obtain a medical degree, adopt a child or act as legal guardian, and prohibit employers from requiring disclosure of information on HIV status as a condition of employment;

(b) Conduct awareness-raising campaigns to address the stigmatization and social exclusion of women living with HIV and ensure their non-discriminatory access to education, employment, health services and social protection as well as respect for their right to privacy and confidentiality;

(c) Apply the International Guidelines on HIV/AIDS and Human Rights.

Economic empowerment of women

54. The Committee welcomes the measures to strengthen female entrepreneurship. It is concerned, however, about the high levels of poverty and limited access to social protection among women and about the limited access of women to entrepreneurial opportunities and economic resources in a fast-evolving digital global economy, including credit, financing and loans, largely due to stereotypes and bias in financial regulations. It further notes with concern that labour migration by men has left many abandoned wives destitute.

55. The Committee recommends that the State party:

(a) Address the feminization of poverty and ensure adequate access to social protection and income-generating opportunities for women affected by poverty;

(b) Effectively address financing gaps for women's entrepreneurship by including, for example, a women's bank or a dedicated gender investment fund in national investment priorities, expanding access among women to low or no-interest collateral-free loans and other forms of financial credit, including fungible and non-fungible tokens, and ensuring full and equal access to landownership;

(c) Provide regulatory mechanisms to ensure the safety and transparency of algorithms used for loan applications and ensure that gender representative data is used in the development of algorithms with a view to removing and mitigating gender bias in technologies, including machine learning systems and artificial intelligence, that relate to women's access to services, including financial services;

(d) Provide women with support for starting independent businesses and with access to affirmative procurement programmes and infrastructure that enables their access to markets, including e-commerce;

(e) Ensure that abandoned wives have access to adequate social protection with a view to reducing their vulnerability and the risk of violence, as well as access to relevant professional training so they can engage in income-generating activities to enhance their economic resilience.

Rural women

56. The Committee notes with concern that while agriculture is largely feminized, men continue to own the vast majority of agricultural land and manage most farms in the State party. It also notes with concern that:

(a) Women are underrepresented in land management and in agricultural technology;

(b) Rural women, including rural women with disabilities, are particularly affected by poverty and have limited access to social protection in the State party.

57. **Recalling its general recommendation No. 34 (2016) on the rights of rural women, the Committee recommends that the State party:**

(a) **Address barriers, including gender stereotypes, that hamper rural women's access to land and farms, including through temporary special measures;**

(b) **Increase the number of women in higher education in agriculture, land management and agricultural technology and provide access to retraining courses for women who have not received the corresponding education;**

(c) **Provide women with support for running their own farms and strengthen social protection for rural women, in particular self-employed women and women working on family-owned farms.**

Former women prisoners

58. The Committee is concerned about the discrimination and bias faced by former women prisoners, including:

(a) Social exclusion, community stigmatization and loss of family support and child custody;

(b) Difficulties finding employment, as employers frequently require a criminal record certificate, even though it is not mandated by law, which results in the denial of employment to former prisoners.

59. **The Committee recommends that the State party uniformly apply the Equality and Elimination of All Forms of Discrimination Act to women in detention and former women prisoners and recommends that it:**

(a) **Conduct awareness-raising campaigns on the inherent dignity and equality under law of all persons, address stigmatization of former women prisoners and put in place safeguards to assess the best interest of the child on a case-by-case basis rather than depriving women with a criminal record of custody of their children;**

(b) **Prohibit employers from requiring a criminal record certificate and raise awareness among, and provide incentives for, employers to recruit former women prisoners;**

(c) **Ensure that the conditions of women in detention are in line with the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) and the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules).**

Marriage and family relations

60. **The Committee notes with concern:**

(a) **The increase in the number of polygamous marriages, despite their prohibition and non-recognition by the State party;**

(b) **The small amounts of child support payments and the lack of enforcement by the courts.**

61. **The Committee recommends that the State party:**

(a) **Enforce the prohibition of polygamous marriages, study and address their root causes, and ensure that women in such unions enjoy adequate legal protection despite the lack of recognition of those marriages;**

(b) **Recalculate child support measures and increase the payable amount to meet the needs of the child and the mother, ensure the effective implementation of court decisions ordering the recovery of child support, and ensure the provision of child support by the State in equal amounts if the father is without financial means.**

Amendment to article 20 (1) of the Convention

62. **The Committee encourages the State party to accept, as soon as possible, the amendment to article 20 (1) of the Convention concerning the meeting time of the Committee.**

Beijing Declaration and Platform for Action

63. **The Committee calls upon the State party to use the Beijing Declaration and Platform for Action and to further evaluate the realization of the rights enshrined in the Convention in order to achieve substantive equality between women and men.**

Dissemination

64. **The Committee requests the State party to ensure the timely dissemination of the present concluding observations, in the official languages of the State party, to the relevant State institutions at all levels (national, regional and local),**

in particular to the Government, the parliament and the judiciary, to enable their full implementation.

Technical assistance

65. The Committee recommends that the State party link the implementation of the Convention to its development efforts and that it avail itself of regional or international technical assistance in this respect.

Ratification of other treaties

66. The Committee notes that the adherence of the State party to the nine major international human rights instruments¹ would enhance the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. The Committee therefore encourages the State party to ratify the International Convention for the Protection of All Persons from Enforced Disappearance and the Convention on the Rights of Persons with Disabilities, to which it is not yet a party.

Follow-up to the concluding observations

67. The Committee requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 15, 37 (a), 43 (a), and 53 (a) above.

Preparation of the next report

68. The Committee will establish and communicate the due date of the eighth periodic report of the State party in line with a future predictable reporting calendar based on an eight-year review cycle and following the adoption of a list of issues and questions prior to reporting, if applicable, for the State party. The report should cover the entire period up to the time of its submission.

69. The Committee requests the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (HRI/GEN/2/Rev.6, chap. I).

¹ The International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Rights of the Child; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; and the Convention on the Rights of Persons with Disabilities.