



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

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

**Consideration of reports submitted by States
parties under article 18 of the Convention on the
Elimination of All Forms of Discrimination
against Women**

Combined fourth and fifth periodic reports

Tajikistan*

[4 August 2011]

* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not formally edited before being sent to the United Nations translation services.

**Combined fourth and fifth periodic report of the Republic of
Tajikistan on the implementation of the Convention on the
Elimination of All Forms of Discrimination against Women,
taking into account the concluding comments and
recommendations of the Committee (CEDAW/C/TJK/CO/3)**

Contents

	<i>Paragraphs</i>	<i>Page</i>
I. Introduction.....	1–5	3
II. Review of the implementation of each article of the Convention on the Elimination of All Forms of Discrimination against Women, taking into account the concluding comments and recommendations of the Committee on the Elimination of Discrimination against Women	6–221	3
Article 1	6–13	3
Article 2	14–29	4
Article 3	30–53	7
Article 4	54–56	10
Article 5	57–63	11
Article 6	64–83	12
Article 7	84–94	15
Article 8	95–96	16
Article 9	97–103	17
Article 10	104–127	18
Article 11	128–156	21
Article 12	157–179	26
Article 13	180–185	28
Article 14	186–200	29
Article 15	201–204	31
Article 16	205–221	32
 Annexes		
Annex I. List of legislative acts concerning women adopted prior to 2010.....		35
Annex II. Tables.....		37

I. Introduction

1. This report describes the measures taken between 2006 and 2010 to implement the provisions of the Convention on the Elimination of All Forms of Discrimination against Women. It comprises the combined fourth and fifth periodic reports of the Republic of Tajikistan, taking account of the concluding comments and recommendations of the Committee on the Elimination of Discrimination against Women, adopted at its thirty-seventh session held from 15 January to 2 February 2007, after the consideration of Tajikistan's combined initial, second and third reports on its implementation of the Convention.

2. The report was drafted in accordance with the guidelines on the form and content of reports to be submitted by States parties in accordance with article 18 of the Convention (CEDAW/C/7/Rev.3) and with the Convention-specific reporting guidelines of the Committee on the Elimination of Discrimination against Women (CEDAW/SP/2008/INF/1), also bearing in mind the above-mentioned concluding comments and observations.

3. This report presents information received from ministries, departments, Government bodies, the Kūhistoni-Badakhshon autonomous province, provinces, towns and districts which are responsible for dealing with matters connected with the elimination of all forms of discrimination against women.

4. The report contains specific information regarding the implementation of the articles of the Convention (bearing in mind the comments and recommendations of the Committee on the Elimination of Discrimination against Women), data concerning legislative, administrative and other measures adopted in Tajikistan in order to give effect to the Convention, as well as information on progress in improving women's status and on the remaining obstacles on the path towards real equality and banning discrimination against women.

5. A list of legislative acts designed to enhance women's status which were adopted prior to 2010 and statistical data on gender issues are annexed to the report.

II. Review of the implementation of each article of the Convention on the Elimination of All Forms of Discrimination against Women, taking account of the concluding comments of the Committee on the Elimination of Discrimination against Women (CEDAW/C/TJK/CO/3)

Article 1

6. Equality between men and women is established by article 17 of the 1994 Constitution of the Republic of Tajikistan (referred to hereafter as "the Constitution"). In Tajikistan men and women enjoy the full range of socio-economic, political and individual rights and freedoms. Tajikistan condemns discrimination against women in all its forms and promotes a policy of eliminating discrimination against women.

7. Neither the Constitution nor any other laws contain provisions that directly or indirectly restrict women's rights and freedoms. The Constitution establishes State guarantees of equal human and civil rights and freedoms for all, irrespective of sex, race,

ethnicity, language, origin, property or occupational status, place of residence, attitude to religion, beliefs, membership of voluntary associations or other circumstances.

8. Article 14 of the Constitution states that human and civil rights are regulated and protected by the Constitution, domestic laws and international legal acts recognized by Tajikistan.

9. Article 10 of the Constitution specifies that “International legal acts recognized by Tajikistan are a constituent part of the country’s legal system. In the event of a conflict between domestic laws and recognized international legal acts, the provisions of the international legal acts shall apply.”

10. Matters related to equality between men and women are also regulated by the following laws and regulations:

- The Labour Code of 15 May 1997 (arts. 7, 29, 83, 92, 153, 159 to 165, 167, 168, and 170 to 173)
- The Family Code of 13 November 1998 (arts. 1, 12, 13, 17, 32, 90, 91, 134 and 137)
- The Criminal Code of 21 May 1998 (arts. 52, 58, 59, 61, 62, 78, 109 to 112, 116, 117, 120, 124, 130, 131, 133, 134, 138 to 143, 155, 170, 181, 238 and 239)
- The Code of Criminal Procedure (arts. 8 and 24, inter alia)
- The Penal Enforcement Code of 6 August 2001 (arts. 98, 101 to 104, 107, 111, 120, 208 and 209)

11. Article 7 of the Labour Code prohibits any distinctions, exclusion, preference or refusal of employment on grounds of sex.

12. Article 143 of the Criminal Code makes provision for criminal responsibility for the direct or indirect violation or restriction of human and civil rights on grounds of sex, race, ethnicity, language, social origin, personal, property or occupational status, place of residence, attitude to religion, beliefs, or membership of political parties or voluntary associations, when such violations or restrictions injure a citizen’s rights and legal interests. At the same time, statutory distinctions, exclusions, preferences or even restrictions on workers’ rights due to the characteristic demands of a particular kind of work, or to the State’s particular concern for people needing greater social and legal protection, do not constitute discrimination.

13. The Act on State guarantees of equal rights for men and women and equal opportunities in the exercise of such rights, adopted on 1 March 2005, defines “discrimination” as any distinction, exclusion or restriction on grounds of sex which is designed to weaken or lead to disregard for equality between men and women in the political, economic, social, cultural or any other sphere. This Act seeks to prevent sex discrimination and establishes State guarantees of equal opportunities for persons of either sex. It prohibits discrimination against men or women. A breach of the fundamental principle of gender equality (through the pursuit of State policy or performance of other acts placing men and women on an unequal footing on grounds of sex) is regarded as discrimination requiring elimination.

Article 2

14. Tajikistan condemns discrimination against women. It is carrying out a targeted policy of eliminating discrimination against women in all its manifestations.

15. In recognition of the principles set forth in the Charter of the United Nations, Tajikistan, as a State party, has incorporated its standards and provisions in domestic

legislation, namely the Constitution, the Labour Code, the Civil Code, the Criminal Code, the Family Code, the Code of Administrative Offences, the Act on State guarantees of equal rights for men and women and equal opportunities in the exercise of such rights, and in other legislative acts. None of these laws contain provisions which directly or indirectly restrict women's rights and freedoms, in other words which would permit sex discrimination.

16. The law of Tajikistan is based on the principle of equality between men and women. From a legal standpoint, the fact that equality is guaranteed by the Constitution amounts to a blanket ban on discrimination. There are no domestic laws or regulations which permit discrimination against women.

17. The principles of equality between men and women are formally established in the Constitution. Under article 17 thereof all persons are equal before the law and the courts. The State guarantees the rights and freedoms of every person regardless of ethnicity, race, sex, language, faith, political beliefs, education, or social or property status. Men and women have equal rights.

18. The Constitution lays down general provisions for securing equality between men and women in accordance with international standards. Special laws and State programmes furnish a procedural mechanism for ensuring gender equality.

19. In Tajikistan every person must comply with the Constitution and law and must respect the rights, freedoms, honour and dignity of others. Ignorance of the law does not exempt a person from responsibility (art. 42).

20. Any wrongful acts of a discriminatory nature are contrary to the Constitution and the law and entail responsibility.

21. Every person is guaranteed the protection of the courts. Every person may request the consideration of his or her case by a competent and impartial court. No one may be detained or arrested without legal grounds.

22. As soon as a person is detained, he or she is entitled to the services of a lawyer (Constitution, art. 19; Code of Criminal Procedure, art. 8).

23. The State guarantees a victim the protection of the courts and compensation for the injury suffered (Constitution, art. 21).

24. Legislation makes provisions for measures to counter human rights violations and physical or mental cruelty. The Criminal Code provides for punishment for the following offences against women:

- Rape (art. 138)
- Violent sexual acts (art. 139)
- Sexual coercion (art. 140)
- Sexual intercourse and other sexual acts with persons under the age of 16 (art. 141)
- Debauchery (art. 142)
- Breach of citizens' legal equality (art. 143)
- Groundless refusal to employ or groundless dismissal of a woman with a child of under 3 years of age (art. 155)
- Incitement to suicide (art. 109)
- Trafficking in minors (art. 167)
- Giving a girl in marriage when she is below marriageable age (art. 168)

- Trafficking in persons (art. 130¹)

25. The State programme establishing basic guidelines for State policy to ensure equal rights and opportunities for men and women in Tajikistan for the period 2001–2010 set priorities for the action taken by Government bodies to suppress violence against women by:

- (a) Improving the work of law enforcement agencies with respect to the prevention, recording and pursuit of cases related to violence against women;
- (b) Raising public awareness of manifestations of violence against women and actively encouraging society to combat them;
- (c) Eliminating the after-effects of violence against women through measures to restore their physical and mental health.

At the current stage:

- (a) The legislative foundations are being laid for the introduction of more severe penalties for all forms and manifestations of violence against women;
- (b) A comprehensive, multisectoral approach is being devised in order to resolve this issue.

26. The Presidential Decree on enhancing the role of women in society of 3 December 1999 was aimed at widening women's participation in society and Government departments, enhancing their social status, improving the national gene pool and giving women a more active role in strengthening basic morals. In pursuance of this Decree, the Government, public authorities and Government departments have been appointing women on the basis of their skills, professional qualifications and business competence to leading positions in ministries, State committees, departments, State enterprises, institutions and organizations, and in higher educational establishments and other training institutions. A woman has been selected from among a number of experienced, well-qualified female candidates to fill one of the posts of deputy chairman of the lower chamber of Parliament (see tables 1, 2 and 3).

27. The Government Decision of 1 November 2006 approved the State Programme for the education, selection and placement of capable women and girls in leadership positions for the period 2007–2016.

28. Taking the fundamental aims of this programme as their basis, ministries and departments are engaged in:

- Formulating long-term State policy to secure rights and opportunities with regard to the training, selection and placement of capable girls and women as leaders
- Ensuring that men and women have equal rights when it comes to promotion and appointment to leadership positions
- Ensuring an enabling environment for study
- Encouraging girls to remain in upper secondary education
- Making accommodation available and providing scholarships for girl students in higher education

The relevant ministries and departments are working specifically on the tasks identified in the Programme.

29. In accordance with point 13 of the Programme, "Adoption of measures to persuade women and girls to take up subjects in which they rarely specialize, including computer and information sciences, metallurgy, geology, electrical and other branches of engineering,

diplomacy and management” between 2006 and 2010, the number of girls studying the following subjects, for which a presidential quota was set, was: mathematics: 101; management: 91; engineering: 27; and technological subjects: 46.

Article 3

Paragraphs 21, 22, 35 and 36 of the Committee’s concluding comments and recommendations

30. Tajikistan is taking appropriate steps, including the adoption of legislative measures, to guarantee the realization and enjoyment of women’s rights and fundamental freedoms on the basis of equality with men in all areas, but particularly in the political, social, economic and cultural spheres.

31. In accordance with the Act on State guarantees of equal rights for men and women and equal opportunities in the exercise of such rights, the State programme establishing basic guidelines for State policy to ensure equal rights and opportunities for men and women in Tajikistan for the period 2001–2010 and the State Programme for the education, selection and placement of capable women and girls in leadership positions for the period 2007–2016, special attention is being devoted to women’s status in society.

32. The Government pays great heed to gender issues, as is evidenced by the President’s message read out in the Majlis-i Oli, the national parliament, on 24 April 2010 concerning basic guidelines for the country’s internal and external policy for the period 2009–2010. In response to this message, a programme of measures to comply with the instructions contained therein was approved by a Government decision of 3 May 2010.

33. Point 65 of this programme calls on the Government Committee on Women and the Family to adopt the requisite measures to promote talented girls to leadership positions. As part of efforts to give effect to the programme, a list was drawn up of more than 700 very talented girls and women who are potential senior officials and managers. This list has been presented to the Government.

34. The text of the concluding comments and recommendations of the Committee on the Elimination of Discrimination against Women has been circulated to the relevant ministries, departments, local authorities and voluntary associations.

35. State programmes providing for specific measures to overcome obstacles to women’s rights have been devised and implemented as a practical response to these concluding comments. In 2009, a draft national strategy to promote the role of women in Tajikistan for the period 2001–2010 was presented for consideration by the Government. The main purpose of the strategy is to create the essential preconditions for a fuller realization of women’s natural talents in all spheres of society with a view to the latter’s sustainable development.

36. The strategy addresses the huge tasks facing the State. It sets goals and identifies the basic means of achieving them by promoting a balanced, sustainable development of society through gender mainstreaming in all spheres of life. The strategy is designed to promote the training of gender equality specialists able to formulate national policy resting on a gender balance in all spheres of society.

37. In 2006, the Ministry of Internal Affairs drew up and issued a methodological guide to instruct officials of law enforcement agencies how to handle cases of domestic violence. Between 2006 and 2008, a series of seminars and courses on the subject of reducing domestic violence against women were arranged for staff of the Department of Community Policing and students of the Academy of the Ministry of Internal Affairs. In 2005 and 2006 a compilation of international human rights instruments and laws was prepared and issued

to officials of law enforcement agencies. Between 2006 and 2009, these officials took part in international conferences, seminars and round tables devoted to legal questions, human rights education, honouring obligations to prevent domestic violence against women, combating trafficking in women and other related subjects. Officials of the Ministry of Internal Affairs and lecturers at the Ministry's Academy were issued with teaching aids and other resources for use in their work. Doctoral research has likewise been conducted on the above-mentioned subject. Despite all the efforts made, violence against women remains a fairly acute problem calling for the undivided attention of Government bodies and all organizations working in that area. The Academy of the Ministry of Internal Affairs has run courses on combating violence against women for its students.

38. Ministry of Internal Affairs Order No. 271 of 17 March 2010 requires inspectors to combat domestic violence.

39. A course on women's rights has been introduced in the programme of studies of the law faculty of Tajikistan's National University. This course was put together in 2009 in cooperation with the United Nations Entity for Gender Equality and the Empowerment of Women (UNIFEM). A course book in Russian and Tajik has been issued in cooperation with UNIFEM and the United Nations Population Fund (UNFPA). A 36-hour module entitled "Women's rights" is taught as part of the approved programme of studies. The course encompasses the study of international and national mechanisms for protecting women's rights and a detailed study of the national legislative basis of gender equality.

40. Representatives of ministries, departments, non-governmental organizations (NGOs) and other civil-society actors regularly participate in seminars and round tables on the subject of violence against women and ways of preventing it.

41. In 2008 and 2009 the Government Committee on Women and the Family and the Civil Service Department in the Office of the President arranged courses entitled "Women leaders" and "New State management for women". These courses were attended by more than 900 young specialists from ministries and departments and local authority staff.

42. Women's councils ("Shuroi zanon"), which have been set up in all ministries, departments, higher educational institutions and at the local level, are another interdepartmental mechanism promoting the implementation of the Act on State guarantees of equal rights for men and women and equal opportunities in the exercise of such rights. The councils, working on the basis of regulations approved by the Committee on Women and the Family, are also taking steps to explain the substance of laws and State programmes, United Nations conventions and other standard-setting instruments concerning women.

43. In 2010, the Committee on Women and the Family, the coalition of voluntary associations "From legal to actual equality" and the UNIFEM project to strengthen women's land and property rights held community hearings in four large towns on the subject of the de jure and de facto equality of men and women in the socioeconomic sphere. The underlying aim of these hearings was to review progress achieved in implementing the Act on State guarantees of equal rights for men and women and equal opportunities in the exercise of such rights, in particular with regard to equal access to society's economic resources, including movable and immovable property, land, financial assets and credit, and to take stock of problems and barriers to actual equality between men and women. The participants included the Commissioner for Human Rights, the Deputy-Chairpersons of both chambers of parliament, representatives of State, voluntary and international organizations, the mass media, women farm directors and businesswomen. Recommendations from experts on improving implementation mechanisms, especially with regard to women's equal access to economic resources, were considered during the hearings. At the end of them, recommendations were adopted and sent to the Deputy Prime

Minister, Parliament, the Commissioner for Human Rights and the National Legislation Centre in the Office of the President.

44. The Committee on Women and the Family works with the Commissioner for Human Rights and regularly makes joint visits to towns and districts to hold seminars and round tables on a given subject.

45. In 2007, a draft act on the social and legal aspects of protecting women from domestic violence was submitted for the Government's consideration. The adoption of the act was postponed pending its amendment, but also because of a lack of the requisite resources. In 2010 a new working group comprising deputies and staff from the President's Office, ministries, departments and NGOs was set up to revise the draft act.

46. During the period under consideration, the number of centres providing information and counselling which are run by the Committee on Women and the Family and its local branches grew to 75. At these centres, lawyers and Committee staff provide free advice to women, some of whom are victims of violence. In addition, a decision of the mayor of Dushanbe of 27 August 2009 made provision for the setting up of a State-run women's awareness centre in Dushanbe which inter alia operates a crisis centre for women victims of domestic violence, as well as offering education and information and conducting research and analysis. There are plans to open a shelter at the centre for women who are the victims of domestic violence. During the period 2006–2009, definite, steady progress was made towards the implementation of policy to improve gender equality and women's standing, while taking account of political and economic reality and specific features of culture. Mechanisms and forms of cooperation between the State and NGOs were devised. Support was provided for businesswomen. Basic facilities and social services for women were expanded. Jobs for women were created in consumer services, light industry and rural areas. The scientific, theoretical, methodological and analytical bases of State policy on women's and family issues were laid and consolidated. The poverty headcount rate fell to 47.2 per cent (compared with 83 per cent in 1999).

47. The country is encountering many socioeconomic difficulties on the road to a more democratic society. The situation of women, to a greater extent than that of men, is complicated by many factors including the global financial crisis, labour migration by men, which results in a higher number of households headed by women, and also a higher unemployment rate among young people and women. The Government is devoting particular attention to solving the above-mentioned problems.

48. In response to the concluding comments and recommendations of the Committee on the Elimination of Discrimination against Women, the Government decided to increase the staff complement of the Committee on Women and the Family by 8 members, bringing it to its current level of 19. A Deputy Prime Minister coordinates the Committee's work. Its staff receives further training at the Civil Service Further Training Institute. In the last two years, 165 staff members of the Committee and other departments in the regions improved their knowledge in the "Women leaders" and "State management" courses provided by the Civil Service Department in the Office of the President. A gender equality and international relations section has been set up within the Committee on Women and the Family.

49. A long-term project consisting of the setting up of a database on women's and family issues was approved in November 2009. The project will cover the period 2010–2014. The Government Committee on Women and the Family has a website (www.kumitaizanon.tj) offering broad access to essential information about State gender policy and its implementation for those concerned.

50. The Committee's budget expressed in the national currency was as follows:

2007	230,630 somoni
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2008	473,320 somoni
2009	367,350 somoni
2010	516,390 somoni

51. The budget of the State Programme for the education, selection and placement of capable women and girls in leadership positions for the period 2007–2016, expressed in the national currency, amounts to:

2008	110,000 somoni
2009	58,000 somoni
2010	60,000 somoni
2011	62,000 somoni
2012	64,000 somoni
2013	66,000 somoni
2014	68,000 somoni
2015	70,000 somoni
2016	72,000 somoni

52. Targeted educational measures are regularly carried out within the framework of the State programme establishing basic guidelines for State policy to ensure equal rights and opportunities for men and women in Tajikistan for the period 2001–2010.

53. In the Government's Poverty Reduction Strategy Programme, particular attention will be devoted to women's employment. The Government Decisions of 4 July 2006 and 4 September 2008 on the introduction of presidential grants to support women in enterprise for the period 2006–2010 served to expand women's business activities. This grant, which amounted to 3,300,000 somoni in total over the period in question, permitted the creation of 5,000 jobs through the setting up of small enterprises, some of which process agricultural products.

Article 4

54. Tajik legislation does not contain any provisions which discriminate on the grounds of sex. However, in order to achieve real equality, Government determination must be accompanied by a proactive attitude on the part of women.

55. The above-mentioned State Programme for the education, selection and placement of capable women and girls in leadership positions for the period 2007–2016 is designed to increase the number of women in leadership positions.

56. The Government Decision of 31 January 2006 on the admission of students to the country's higher educational establishments in accordance with the presidential quota for the period 2006–2010 is a current special educational measure dictated by the State's particular concern with regard to the education of girls from remote mountain regions. There are 17,156 students, 7,211 of whom are girls, enrolled in higher education. School-leavers who have won prizes in international and national contests are also entitled to enter higher vocational training institutes without sitting a competitive examination.

Article 5

Paragraph 20 of the Committee's concluding comments

57. The legislation does not contain any norms that infringe on women's rights. However, since Tajikistan remains a traditional Muslim society, traditional attitudes concerning the social roles of men and women are obstacles to women's full enjoyment of their rights and freedoms. The influence of religion on young people, including girls and women, has increased in recent years. Gender inequality is a result both of the traditional and religious ideas of the populace and of socioeconomic problems.

58. There are some cases of bigamy and polygamy, although article 170 of the Criminal Code makes cohabitation with two women in the same household an offence. Women agree to such marriages for various reasons, such as the demographic imbalance that resulted from the civil war, labour migration or worsening financial circumstances owing to the global financial crisis. Such marriages are entered into with a *nikokh* religious ceremony and without State registration. They entail no legal consequences. The rights of second wives are not covered by secular law. The courts condemn such acts (see tables 4 and 5). During the reporting period, courts took decisions on establishing paternity, recovering maintenance and ensuring that wives had guaranteed shelter in the home of their husband or his parents.

59. A proposal was submitted to the Government in 2009 to set the minimum age for marriage at 18, to be reduced by one year in specific circumstances stipulated in the law. This was prompted by cases of early marriage of girls in rural areas. The reasons for such marriages are usually poverty, unemployment, low income and a religious mindset. Work is being done to increase and expand gender education with the aim of changing social and cultural patterns of behaviour of both men and women and eliminating prejudices and customary practices based on a stereotyped perception of the roles of the sexes. The media are playing an important role in overcoming gender stereotypes. Work is continuing on a women's encyclopaedia. The website of the Committee for Women and the Family has a page that includes the history of the most successful women scientists, politicians, actors in State and society, representatives of the creative professions, writers and poets. Various articles in the country's weekly magazines and newspapers promoting women's empowerment in the family and in the State, and media projects aimed at raising women's awareness of their rights are contributing greatly to forming and informing public opinion in respect of the position of women, the elimination of discrimination and the rejection of violence against women, especially domestic violence.

60. Radio and television broadcasts also regularly address women's issues, helping to overcome prejudice against women; furthermore, with the aim of fostering change in the widely accepted view of the subordination of women and stereotyped ideas of the roles of the sexes, the State theatre and concert institution puts on performances and holds discussions, meetings and seminars with well-known cultural personalities and veterans of labour to raise awareness and promote positive images of the role of women and the meaning of sex equality for society as a whole. Tajik dramatists have written a number of plays dealing with the importance and role of women in society.

61. Artistically talented women and girls take part in various annual national arts and culture competitions aimed at finding new talent in different genres: *Andaleb* (The Nightingale), *Chakomai Gesu* (Ode to the Plait), *Zan-Zebi Khaet* (Woman Beautifies Life), and *Parastu* (The Swallow). The winners are employed in the relevant State agencies where they can improve their professional skills. The best of them receive various prizes, awards and financial incentives.

62. The Ministry of Education and its subdivisions have a large number of gender education projects involving awareness-raising and improving education on gender equality.

63. Under the Presidential Decree of 5 March 2009, 8 March has been declared Mothers' Day, a day to praise and pay respect to the role of mothers in strengthening the family, bringing up children and thus strengthening society. In honour of Mothers' Day, the Committee on Women and the Family organizes a competition on the role of mothers in bringing up children and the Allai Modar (mothers' lullabies) competition, and holds meetings and discussions with women war and labour veterans, presents them with gifts and provides them with financial assistance. Celebrations are held everywhere.

Article 6

Paragraphs 23 and 24 of the Committee's concluding comments

64. The legislative basis has been established to combat trafficking in persons, the exploitation of women and prostitution. The Criminal Code provides sanctions for enticement into prostitution (art. 238) and the establishment or keeping of brothels, procurement and living off the earnings of prostitution (art. 239), recruitment for the purposes of sexual or other exploitation (art. 132) and trafficking in minors (art. 167) (table 4). The Code of Administrative Procedure establishes administrative liability for engaging in prostitution (art. 130) (see table 5). The Trafficking in Persons Act, No. 47 of 15 July 2004, is enforced. The State Crime Control Programme for the period 2008–2015, adopted by Government Decision No. 543 of 2 November 2007, includes measures to step up efforts to prevent human trafficking. Government Decision No. 5 of 4 January 2005 set up the Interdepartmental Commission to Combat Trafficking in Persons as a standing advisory body to coordinate the activities of Government ministries and departments, provincial, municipal and district authorities, institutions and organizations, irrespective of form of ownership, in fulfilling their international obligations to combat human trafficking.

65. Government Decision No. 213 of 6 May 2006 adopted the Comprehensive Programme to Combat Trafficking in Persons (2006–2010) to ensure proper implementation of Government policy in the area. Various events focusing on education, information and prevention have been held as professional capacity-building exercises for the staff of the agencies that deal with combating trafficking and to raise public awareness of the dangers and threats of human trafficking.

66. Government Decision No. 504 of 1 October 2007 approved the model regulation on support centres for victims of human trafficking.

67. Government ministries and departments developed action plans within the framework of the Comprehensive Programme to Combat Trafficking in Persons.

68. The Interdepartmental Commission to Combat Trafficking in Persons has produced regulations and principles for the work of the support centres for victims of human trafficking; these were approved by Government Decision No. 100 of 3 March 2007 under which such centres were set up in the towns of Dushanbe and Khujand. The Commission includes first deputy ministers, and presidents of committees, provinces, municipalities and districts.

69. The support centres for victims of human trafficking provide free legal, medical and psychiatric consultation, carry out tests for venereal diseases and HIV/AIDS, and provide temporary accommodation and food, as well as assistance with acquiring a profession and finding employment and accommodation.

70. In conjunction with the NGO Modar, the Interdepartmental Commission to Combat Trafficking in Persons organized an international conference on combating trafficking in Dushanbe on 22 and 23 November 2008. It was attended by representatives of the Russian Federation, Kazakhstan, Kyrgyzstan, Uzbekistan, the United Arab Emirates, Afghanistan, the Islamic Republic of Iran, Turkey and Sweden.

71. Tajikistan pays particular attention to improving its legislation and making use of leading international practice in preventing and combating trafficking in persons. The Comprehensive Programme to Combat Trafficking in Persons (2011–2013) is to be adopted to update the systems and methods used in combating human trafficking.

72. The comprehensive measures planned under the Programme are based on the principles and standards of international law, an analysis of the crime situation and forecasts of its likely development, as well as on the results of scientific research and practice in combating trafficking in persons. The aim is to revitalize the collaboration between and activities of the agencies actively involved in combating human trafficking. It is intended to prevent and reduce the growth in trafficking in persons. This mainly involves preventing and prosecuting activities related to trafficking, protecting and aiding the victims and building up partnerships in that work.

73. On 10 February 2009, the Ministry of Health issued a decree laying out the rules for organizing medical and social assistance to victims of trafficking in persons in Tajikistan. It defines the scope and procedure for providing medical care in medical facilities. The Ministry of Health also has a council that coordinates the provision of assistance to victims of trafficking.

74. The Ministry of Justice systematically checks firms and companies involved in tourism and foreign trade that find work for migrants abroad. The Ministry issues *Zhizn y Zakon (Life and the Law)*, a newspaper that looks at issues related to migrant workers' rights.

75. With the help of the International Organization for Migration (IOM), the Council of Justice Training Centre has developed a study module for judges on combating trafficking in persons.

76. The Office of the Procurator and the Ministry of Internal Affairs are including a special course in combating trafficking in their staff training programme. Brochures and other training materials have been published. Seminars and training courses are held for staff of the law enforcement agencies. A strategy has been developed setting out rules for the relations between law enforcement staff and trafficking victims. Measures are being taken to establish regional and international cooperation with countries of destination and transit of victims of trafficking, and to help develop educational, health and legal programmes on preventing and combating trafficking in persons, data exchange on various aspects of the issue and assistance for the victims in the form of repatriation, rehabilitation and reintegration. The Ministry of Internal Affairs human trafficking section and its counterpart structures in the State Committee on National Security carry out regular inspections of flights to Dubai and Turkey and of tourist agencies in the country, to detect trafficking. The Ministry of Internal Affairs Academy has organized a course on combating human trafficking and has published related training materials. With assistance from IOM and the United States Embassy in Tajikistan, the Training Centre on Human Rights and Combating Trafficking in Persons has been set up in the Legal Faculty of the National University.

77. In cooperation with the media, staff of the Ministry of Internal Affairs, the Committee on Women and the Family, the Committee for Youth, Sport and Tourism, and the Narcotics Control Agency make regular raids on discos, video clubs and other youth leisure centres. The Conference and Second National Congress of Young People of

Tajikistan was held in 2009 with the following themes: “Mobilize society to fight human trafficking”, and “Youth against trafficking”. The Committee on Women and the Family is carrying out a sociological survey of trafficking victims. Similar surveys and workshops have been organized by the Academy of Sciences’ Institute of Demographics, and the results published in a digest entitled *Commercial Sex in Tajikistan*. The Strategic Research Centre in the Office of the President carried out sociological research on child trafficking in 2008.

78. The Ministry of Education has introduced courses on human rights, “The crime of trafficking in persons”, “My rights and freedoms are inviolable”, and the history of religion into its curricula.

79. The Committee on Women and the Family and its subdivisions have set up 31 crisis centres with telephone helplines and the free services of lawyers and psychiatrists to help women affected by violence and trafficking victims. Eight similar centres have been set up by the Ministry of Health. The Committee and the Child Rights Centre of the United Kingdom have signed a memorandum on cooperation in protecting the rights of adolescent girl victims of violence. Under the project, support centres for girls who have become victims of violence and trafficking have been opened in Dushanbe and other regions of the country. The girls receive free psychological counselling and medical and social services. Intellectuals, labour veterans, religious communities and members of women’s councils are encouraged to raise awareness about combating trafficking in persons. The Government and local authorities pay constant attention to the prevention and detection of trafficking-related offences.

80. In 2008, the Government and the IOM mission in Tajikistan signed a memorandum on cooperation in combating trafficking in persons for the period 2008–2009, which is being implemented with success. During that period, IOM support helped return 10 trafficking victims from the Russian Federation and 1 from the United Arab Emirates in 2008 and, of the 9 victims found in the first six months of 2009, 5 were brought back from the United Arab Emirates, 3 from the Russian Federation and 1 from Afghanistan. Public seminars, round-table discussions and meetings organized by Government agencies throughout the country, with the help of IOM, are attended by representatives of religious organizations, voluntary associations and the business community. Members of the Commission have also worked on the joint Comprehensive Programme to Combat Trafficking in Persons in Tajikistan (2006–2010), which includes the organization and implementation of media information campaigns on preventing human trafficking. Investigative work is going on towards the detention of criminal gangs involved in human trafficking.

81. A number of international agreements have been signed to give impetus to cooperation at international, regional and bilateral levels in combating the phenomenon:

- Agreement between Tajikistan and the United Arab Emirates on mutual assistance in criminal cases, signed in Abu Dhabi on 9 April 2007
- Extradition agreement between Tajikistan and the United Arab Emirates, signed in Abu Dhabi on 9 April 2007
- Agreement between Tajikistan and the United Arab Emirates on legal assistance in issues related to citizenship and trade, signed in Abu Dhabi on 9 April 2007
- Agreement between Tajikistan and Afghanistan on the extradition of detainees, signed in Dushanbe on 26 July 2006
- Memorandum on cooperation in combating trafficking in persons between the Government and the IOM mission in Tajikistan, signed in Dushanbe on 15 February 2006

- Extradition agreement between Tajikistan and the Islamic Republic of Iran, signed on 4 January 2010

82. As a result of these agreements, 60 women trafficking victims originally from Soghd province were brought back to the country from Dubai (United Arab Emirates) alone. In 2008, the Interdepartmental Commission, together with the Organization for Security and Cooperation in Europe and the NGO Modar, held a round-table discussion and seminar for representatives of the embassies of the United States, Afghanistan, the Islamic Republic of Iran, Kazakhstan, Kyrgyzstan, Uzbekistan, China, Japan, Turkey, the Russian Federation and Sweden, entitled How not to become a victim of the slave traders of the twenty-first century: forewarned is forearmed. Similar events were organized throughout the country. Diplomatic press conferences were also held in 2008 in Kabul and Dushanbe on the issues of protecting trafficking victims and prosecuting the perpetrators.

83. During the reporting period, Tajikistan opened general consulates in the United Arab Emirates, Egypt and a number of towns in the Russian Federation, which also promoted prevention and combating of trafficking in persons. The Commission is looking at the experience of similar services of countries of the Commonwealth of Independent States, Austria, the United States and Turkey.

Article 7

84. Under article 27 of the Constitution, citizens who have reached the age of 18 have the right to participate in the political life and administration of the State directly or through representatives, i.e., they have the right to vote and to be elected. The Majlis-i Milli (upper house) and the Majlis-i Namoyandagon (lower house) of the Majlis-i Oli are the country's supreme representative and legislative bodies.

85. Elections to both houses of parliament were held in February 2010. Women took an active part in the elections, standing in all the constituencies and precincts. Five women were elected to the lower house and 12 became deputies in the upper house. One woman was elected Deputy President of the upper house, 2 chair committees, and 517 women were elected to local assemblies of people's deputies at provincial, municipal and district levels.

86. In the local assemblies of people's deputies, 5.9 per cent of chairpersons are women, as are 43 per cent of deputy chairpersons.

87. A total of 4,793 women work in the central or local authorities, and 920 of them are in senior management; 4 are district heads and 67 are district deputy chairpersons. One of the deputy prime ministers is a woman.

88. There is a gradual increase in the political representation of women. However, despite the fact that the law proclaims equal rights for women and men to political representation, women do encounter certain difficulties, because they generally have fewer political skills, political contacts, experience and education (see table 6).

89. One of the aims of the State programme establishing basic guidelines for State policy to ensure equal rights and opportunities for men and women in Tajikistan for the period 2001–2010 was to increase women's representation in the senior staff of Government agencies. That goal will be achieved when women account for at least 30 per cent of such staff in the legislative, executive and judicial branches (see table 1).

90. Fifty of the 300 judges in the country are women (17 per cent). Nine of them (18 per cent) hold senior positions.

91. Article 10 of the Civil Service Act of 5 March 2007 guarantees equal access for women and men to civil service positions (see table 7).

92. Between 2007 and June 2010, the Ministry of Justice re-registered 466 NGOs headed by women. Of those, 263 were active at national level, 15 at international level, and 188 were local. They focused mainly on educational programmes, educational support and small business development.

93. The Government supports links with the country's voluntary associations. In 2007, the Government Committee on Women and the Family signed a memorandum on cooperation with 60 voluntary associations in the country. One of the main aims of the memorandum was to enhance the status of women through human rights education programmes and to improve their level of legal knowledge.

94. The Government supports education and training programmes through presidential grants. Between 2006 and 2009, 190 projects aiming to improve women's legal knowledge received funding. The outcome of sociological research conducted with the help of the NGO Zan va Zamin (Woman and Land) was a brochure reporting on self-immolation by women. Collections of poetry by young women poets belonging to the NGO Khuboni Porsigu were published in 2007, as were other creative projects.

Article 8

95. The 2002 Diplomatic Service Act provides the legal basis and regulations for the organization and functioning of the country's diplomatic service. Citizens of Tajikistan who have higher education and the skills required for the work of the diplomatic service may be admitted. The Act does not establish specific requirements or restrictions based on sex for entry into the diplomatic service.

96. The Ministry of Foreign Affairs has 148 staff members, of whom 26, or 17.5 per cent, are women.

<i>Women members of the Ministry of Foreign Affairs central staff</i>		<i>In diplomatic representations and international organizations abroad</i>	
<i>Number</i>	<i>Position</i>	<i>Number</i>	<i>Position</i>
1	Deputy Minister	2	Third secretary in the Embassy
1	Deputy head of department	1/1	Deputy head of department, Economic Cooperation Organization/translator
3	Section head		
8	Attaché	1	Consul
2	First secretary	1	Category II expert Shanghai Cooperation Organisation secretariat
1	Second secretary	2	Embassy first secretary
5	Third secretary	4	Embassy second secretary
5	Specialist	1	Embassy specialist

Article 9

97. Under article 15 of the Constitution, any individual who was a citizen of Tajikistan on the day that the Constitution was adopted is considered to be a citizen of Tajikistan. The Constitutional Act on Citizenship, No. 104 of 4 November 1995, describes the procedure for acquiring and losing citizenship.

98. Legislation specifies that citizenship may be conferred solely on the basis of applications submitted by citizens of other States or by stateless persons. Based on article 23 of the Constitutional Act on Citizenship, any person with dispositive capacity who has reached the age of 18 and is not a citizen of Tajikistan, regardless of origin, social status, race or ethnicity, sex, education, language, religion or political or other beliefs, may apply for citizenship of Tajikistan. As the provisions of this article imply, the Citizenship Act does not establish any impediments to citizenship that are based on sex.

99. The law gives women equal rights with men regarding the citizenship of their children and does not establish any impediments to citizenship based on sex.

100. Under article 3 of the Legal Status of Foreign Nationals Act, No. 230 of 1 February 1996, foreign nationals in Tajikistan enjoy the same rights and freedoms and have the same obligations as citizens, except where otherwise provided by the Constitution, the Act or other legislation.

101. The Legal Status of Foreign Nationals Act stipulates that foreign nationals in Tajikistan are equal before the law, regardless of their origin, social or material status, race or nationality, sex, education, language, religion, type and nature of occupation or any other circumstances. Foreign nationals in Tajikistan may enjoy their rights and freedoms where such use is not prejudicial to the national interest or the rights and legitimate interests of the country's citizens or other persons. Under article 19 of the Act, foreign nationals may travel within the country and choose their place of residence in the country in accordance with legally established procedure. Restrictions on movement and choice of place of residence are permitted when so dictated by considerations of national security or the defence of public order, health and morals, or to protect the rights and legitimate interests of citizens and other persons. Under article 4 of the Refugees Act, prior to February 2011, issues concerning refugees were addressed by the Ministry of Internal Affairs, the State Committee on National Security, the Ministry of Foreign Affairs and the executive authorities. The Migration Service has now been established under the Government.

102. The Refugees Act gives a definition of a refugee. A refugee is a person who is not a citizen of Tajikistan and is on its territory owing to a well-founded fear of being persecuted in the country of his or her nationality for reasons of race, religion, national or ethnic origin, membership of a particular social group or political opinion. An asylum-seeker is a foreign national or stateless person who has left his or her country of nationality or former residence with the intention of seeking refugee status in Tajikistan.

103. The general problem of refugees and asylum-seekers in the country is one of the most complicated issues facing the world today. It is discussed frequently in the United Nations, which is still seeking more effective ways of protecting and assisting this very vulnerable population group. One of the main problems for foreign nationals and stateless persons in integrating into the local community is obtaining temporary or permanent residence in Tajikistan, residence permits and citizenship. Foreign nationals and stateless persons who wish to remain permanently in Tajikistan must first receive permission for permanent residence. They will then receive a residence permit. Foreign nationals who are able to show their citizenship of any State are given a foreign national's residence permit. Persons who have no proof of citizenship of any State (such as a national passport) are given a stateless person's residence permit. Despite the difficult socioeconomic situation in

the country and the lack of adequate experience in solving many problems related to migration, Tajikistan has worked extensively on forming and implementing its migration policy, assisting refugees and establishing the appropriate legislation in this respect. To address the matter of integration, the Government, together with the Office of the United Nations High Commissioner for Refugees, is taking steps towards acceding to the Convention relating to the Status of Stateless Persons. The Government has done all this to simplify the procedure for acquiring citizenship and to reduce the number of cases of statelessness, towards the rapid integration of foreign refugees and asylum-seekers, as well as foreign nationals and stateless persons who have residence permits.

Article 10

Paragraphs 14, 17, 19, 27, 28 and 30 of the Committee's concluding comments and recommendations

104. The Constitution, in its article 41, guarantees human rights in the area of education. The State provides free and compulsory basic general education through the public school system. Within the framework laid down by law, everyone can receive free general secondary education, elementary vocational education, secondary vocational education and higher vocational education in State educational institutions.

105. Under article 17 of the Education Act, educational establishments provide instruction by means of day, correspondence and distance education and short courses.

106. The education strategy ensures access for all to basic education and increased coverage of secondary education. It puts priority on raising the quality of education at all levels.

107. The legislation defines the legal, organizational and socioeconomic basis for the development of education in the country; it establishes the structure of the education system, the principles underlying its regulation, management and authority, and the areas of operation for its agencies; and is the legal framework for other legal and regulatory acts in the area of education.

108. Tajikistan is taking the necessary measures to ensure equal rights for women and men in the area of education.

109. The legislation concerning education is based on the Constitution and consists of the Education Act, No. 43 of 17 May 2004, other domestic legal and regulatory acts, and international legal instruments recognized by Tajikistan.

110. Under article 41 of the Constitution, everyone has the right to education, and general basic education is compulsory. The State guarantees free and compulsory general basic education in State education facilities. Article 6 of the Education Act stipulates that Tajik citizens, regardless of ethnic background, race, sex, language, religion, political status and social or material status, are guaranteed the right to education.

111. The Family Code, in article 63, gives parents the responsibility for the upbringing and development of their children. They are obliged to care for their children's health and physical, emotional and spiritual upbringing.

112. Presidential Decree No. 502 of 2 August 2008 established the Durakhshandagon International Grant, on the initiative of the President. The grant is awarded by the International Programmes Centre, a State establishment. The main aim of the Centre is to select gifted young people to study and learn a profession at a foreign institute of further education. Between 2008 and 2010, 171 Tajik citizens received grants under the programme and were sent abroad to study in institutions in the Russian Federation,

Ukraine, Kazakhstan, China, Turkey, Egypt and elsewhere. The main emphasis is put on training technical specialists and specialists in international relations. There will be 27 places available for Tajik citizens to study in foreign institutions under the Durakhshandagon International Grant in the 2011/12 academic year. The Ministry of Education sent a total of 2,452 persons to study in foreign institutions between 2005 and 2010.

113. Government Decision No. 272 of 12 June 2001 approved the State system of human rights education in Tajikistan.

114. In 2006, the Department of Human Rights and Comparative Law was established under the Law Faculty of the Tajik National University. As well as other international legal instruments, the course looks at the fundamental provisions of the Convention on the Elimination of All Forms of Discrimination against Women. The subject of human rights has also been introduced in general secondary schools.

115. Article 6 of the Act on State guarantees of equal rights for men and women and equal opportunities in the exercise of such rights provides for the following in educational establishments of all forms of ownership:

- (a) Equal conditions for men and women in general basic, secondary vocational and higher education, all forms of vocational training and further training;
- (b) The introduction of special gender courses to promote research on sex equality and gender education;
- (c) A ban on the use of curricula and textbooks that promote sex discrimination;
- (d) The introduction of preferential conditions for entry into institutes of higher education and secondary vocational education for girls from remote mountain regions and rural areas.

116. Education is a priority in Tajikistan's socioeconomic policy. Each year, teachers and other education staff receive salary increases. In the medium term, under the Medium-term Public Expenditure Programme for 2011–2013, one priority is to bring the average salaries of teachers in general schools up to the national average.

117. Average teachers' salaries more than doubled between 2006 and 2009. The Presidential Decree of 20 July 2008 and the Government Decision of 2 July 2008 raised salaries in education by 40 per cent as of 1 September 2008. The Presidential Decree of 20 July 2009 and the Government Decision of 2 July 2009 raised salaries in education by 15 per cent as of 1 September 2009, to an average of 173 somoni per month. A draft presidential decree has been prepared on regular salary increases. Teachers in specialized secondary schools, grammar schools and private educational establishments earn between 400 and 1,000 somoni.

118. Since 1 April 2006, grants have been awarded to students in higher vocational training under the awards procedure for students in secondary and higher vocational training developed in application of the 3 April 2006 Government Decision implementing the Presidential Decree of 20 March 2006. Over the reporting period, 290 school pupils, and undergraduate and postgraduate students, including 143 girls, have received presidential grants (of between 90 and 165.2 somoni). During the 2009 academic year, 23,277 students, of whom 56 per cent were girls, received grants.

119. The main barriers to receiving basic education are:

- (a) Economic (insufficient funding, inadequate network of schools, including schools for children with special needs);

(b) Social (level of poverty, insufficient work in the family, lack of interest in education in certain groups);

(c) Ethnocultural, related to traditions and stereotypes, particularly in respect of equal access to education for men and women.

120. The Ministry of Education has thus drawn up a bill on parental responsibility for children's upbringing and submitted it to the Government for consideration. The bill is intended to strengthen the links between families and schools, and encourage parents to play a bigger role in their children's education and upbringing. Over the reporting period, there has been a growth in coverage by primary, general secondary, vocational and higher vocational education (see tables 8¹, 8² and 8³).

121. Women teachers participate actively in the Teacher of the Year competitions for different types of school, and have won prizes.

122. Elementary vocational education, as the first step in Tajikistan's vocational training system, uses vocational training and educational curricula aimed at producing qualified workers with diplomas and certificates for different levels of work.

123. Currently, under the Education Act and the Elementary Vocational Education Act, the main aim of the elementary vocational training system is to guarantee the rights of citizens, including girls and women, to universal access to elementary vocational education, and to meet the country's needs for vocational education services of the appropriate level, taking account of the current situation and the needs of the labour market.

124. Elementary vocational schools ensure that girls receive accessible general vocational education, which produces workers in more than 163 specializations, and raises the students' level of education and culture, thus demonstrating not only the vocational but also the general educational value of this level of education.

125. Currently there are 66 State elementary vocational schools (vocational technical schools and scientific vocational schools) in the country that follow the curricula for elementary vocational education and the vocational education. The President sets annual quotas in order to increase the number of girls from rural districts in institutes of higher vocational education.

126. To encourage girls to study in higher education and support them, the Ministry of Education has opened the Sarvar Training Centre where 200 girls who have entered under the presidential quota are provided with accommodation and also study foreign languages and computer technology. The Charogi Khidoyat State Care Centre provides accommodation and supplementary education for over 100 orphan students.

127. A policy framework for a change to a new system of general education in Tajikistan has been submitted to the Government for consideration. The adoption and implementation of the framework will establish the conditions for school pupils to learn more and will bring more girls into education. It proposes a 12-year system of general education, together with specialized training to prepare students for working life. The Social Welfare for Persons with Disabilities Act of 24 December 1991 provides for admission to educational institutions without competitive examination for persons with special physical needs, irrespective of sex. The Education Act of 17 May 2004 allows such persons to receive home education.

Article 11

Paragraphs 19, 20, 23, 24, 28, 29, 30, 33, 39 and 40 of the Committee's concluding comments

128. Tajikistan is taking all necessary measures to eliminate all forms of discrimination against women in employment.

129. The right to work is enshrined in Tajikistan's Constitution and other legislation. Article 35 of the Constitution states that everyone has the right to work and to choose his or her profession or occupation, and the right to occupational safety and social protection against unemployment. Wages shall be no lower than the minimum wage. Restrictions of any kind in employment relations are forbidden. Equal pay must be given for equal work. No one may be subjected to forced labour, except in cases provided for by law.

130. The Act on State guarantees of equal rights for men and women and equal opportunities in the exercise of such rights, the Civil Service Act and the Labour Code guarantee that legislative requirements concerning the rights and guarantees of persons of both sexes must be taken into account in recruitment, promotion, vocational training, terms of employment and dismissal, including in the case of civil servants.

131. Discrimination in the payment of wages is prohibited. Employers are obliged to pay workers the same wage for work of equal value.

132. The minimum wage, that is, the monthly wage for unqualified staff working standard hours and carrying out simple tasks in normal conditions, is guaranteed by legislation.

133. Legislation related to the rights concerned in this article is periodically amended.

134. Many international norms and standards have been developed and adopted to promote equality for women and men at work; domestic legislation also addresses a wide range of related issues.

135. The number of women in paid public work is increasing. However, the labour market is currently undergoing significant changes. In some cases, women are being forced out of the primary labour market. Increasing competition is forcing them to accept low-value, low-paid work (in agriculture, education, health and the State-funded sector).

136. The Government's gender policy is promoting women's employment in the public sector. The market economy is encouraging private initiatives by women. The appearance and increase in the number of women entrepreneurs is contributing to the formation of economically independent women's groups. There is interest in new types of business, such as private enterprise, individual creativity and the public sector. Women are taking a growing interest in their career development. Independent women with initiative have the possibility of achieving good results in both the State and the private sectors. Education is now playing an increasing role in the life strategy of women who are aiming for professional career growth.

137. Nevertheless, women as a group are still more subject to poverty and social exclusion. The number of women employees is decreasing each year, falling by 15 per cent between 2005 and 2008 (see tables 9 and 9¹). In recent years, the Government has taken significant measures to increase wages and salaries in the State-funded sectors and agriculture. Wages rose by 2.3 times between 2006 and 2009 (see table 10).

138. When inspecting businesses and other organizations in the country, staff of the Government Inspection Service for Labour, Employment and Public Welfare pay particular attention to respect for legislative requirements concerning labour protection, additional guarantees for women and persons with family responsibilities, the prohibition of

discrimination in labour relations and collective and individual labour agreements, the promotion of social equality and the improvement of working conditions for women, i.e. matters concerning gender relations. Specifically, neither private nor State employers may discriminate against women in recruitment or the labour market, in businesses or other organizations.

139. Particular attention is paid to studying the trends and adopting measures in respect of the concentration of female staff in low-paid sectors (health, education and agriculture) and the informal sector. Women are more likely than men to agree to work in small businesses and the informal sector where labour health and safety standards are not respected, it is more difficult for the labour inspectorate to carry out checks, and accidents are not reported.

140. Labour inspections show that women are not well informed of the need to abide by labour protection measures, and do not use safety equipment even where it exists because it has been developed without taking women's needs into account and is uncomfortable. In 2009, labour inspectorate staff dealt with 84 cases of violations of labour legislation in respect of women (see table 11).

141. Tajikistan is traditionally a labour-exporting country. This is primarily a result of the fairly high birth rate. Furthermore, the limited job possibilities, lack of real employment, the imbalance between supply and demand on the labour market and the quality of labour constrain job development. The population and housing census conducted by the Statistics Agency reporting to the President between 21 and 30 September 2010 found a total population of 7,565,000 on 21 September 2010.¹ The economically active population was 4,310,000 in 2009.

Number of women officially registered as unemployed in 2006–2009

<i>Indicator</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>	<i>2009</i>
Number of women registered as unemployed	25 300 (54 200)	28 300 (54 700)	23 300 (53 400)	23 900 (53 700)

Payment of unemployment benefit to unemployed women in 2006–2009

<i>Indicator</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>	<i>2009</i>
Payment of unemployment benefit (persons)	1 009	943	620	549
Total amount paid (somoni)	241 631	415 950	291 939	402 817

In 2006, the Government employment agencies provided vocational training for 4,020 unemployed women; in 2007, the figure was 5,141; in 2008, 27; and in 2009, 5,541.

142. In 2006, 9,824 unemployed women were given paid public work; in 2007, the figure was 9,345; in 2008, 3,420; and in 2009, 3,167. Government Decision No. 181 of 2 April 2009 approved the regulations setting quotas for the recruitment of specific population groups. The Ministry of Labour and Social Protection found jobs for the following numbers of women: in 2006: 10,864; in 2007: 11,406; in 2008: 12,246; and in 2009: 14,811.

143. In 2009 alone, the Government adopted eight decisions based on the Employment Promotion Act, taking account of the effects of the global financial crisis on the labour

¹ <http://www.stat.tj/ru/population-census/>.

market. The Employment Promotion Programme received a total of 7,300,000 somoni in funding in 2009.

144. Because of the limited possibilities for obtaining information on the labour market and job openings, job fairs, both large and small, have been organized.

Number of job fairs in 2006–2009

<i>Indicator</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>	<i>2009</i>
Total number of job fairs	-	136	135	630
Persons recruited	-	-	3 139	12 509
Of whom, women			1 578	5 820

145. Currently, between 100,000 and 150,000 new jobs need to be created each year (with existing jobs retained and improved). Meanwhile, the reported need for workers stands at 10–15 per cent of the level needed. Particular attention is thus being paid to this issue.

146. Between 2002 and 2009, Tajikistan's population grew by 13.3 per cent and its potential workforce by 24.4 per cent, while the proportion of its population in employment grew by only 16.7 per cent. This demographic trend demonstrates the huge pressure that exists on the domestic labour market, where most of the workforce are unqualified and do not have the necessary vocational training. Approximately 80 per cent of the unemployed do not have any vocational skills. Each year, between 80,000 and 100,000 pupils leave general school without vocational training and enter the labour market without any qualifications. Between 18,000 and 20,000 jobs remain unfilled each year, primarily because the unemployed do not have the necessary training. Given that situation, in 2008, the Government set up the State Adult Education Centre. Tajikistan's labour market has seen qualitative changes, with the gradual development of the private sector and employers looking for workers who have vocational skills. Thus the content of training and the organization of the educational process should be reviewed to make them more economically effective, to ensure flexibility and to meet the qualitative needs of the labour market as far as possible, given the country's economic capacity.

147. Since 2007, under an intergovernmental agreement between Tajikistan and Germany, the German Agency for Technical Cooperation (GTZ) has been implementing a project to train Ministry of Labour and Social Welfare experts in developing curricula using the DACUM method. During the period 2005–2010, this collaboration produced curricula in six areas of specialization most in demand on Tajikistan's labour market, particularly for girls.

148. The State employment agencies provide technical vocational training and retraining for adults, including the unemployed and the needy, and notably migrant workers, irrespective of their race, sex or religion. Social tax funds are used to finance State provision of technical vocational training and retraining for the unemployed in 22 training centres and 4 regional units. The numbers trained and the funding used over the past seven years is shown in table 12.

149. The Tajikistan Adult Education Association was set up at the end of 2006 to combine the forces of the various NGOs working in adult education, specifically technical vocational training and retraining, and to coordinate joint activities in the area between the NGOs and the State agencies. The Association currently has more than 25 member NGOs in different regions of the country. Its plans include the production of educational software and training support resources to foster pedagogical excellence in teachers of vocational

subjects and vocational instructors. On the issue of migrant workers, in October 2010, Tajikistan submitted a report on its implementation of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

150. Amendments have been introduced to the Citizens' Pensions Act of 3 May 2002, making it possible to differentiate between the maximum and minimum pensions. Since 2006, the maximum pension has been increased as follows:

(somoni)

		2006	2007	2008	2009	2010
1	minimum	20.0 (1)	20.0	60.0	60.0	80.0
2	maximum	180.0 (9)	180.0	300.0	300.0	400.0

Under the current regulations, pension insurance contributions are calculated on the basis of all types of remuneration, including overtime pay.

151. The system for the awarding and payment of pensions began to function during the first half of 2009. When they retire, citizens may thus receive payments from the personal accounts they have paid into since 1999.

152. In practice, there are some violations of women's rights in respect of the length of the working day. There have been cases of women workers in businesses and schools being forced to work overtime without additional pay or other payments provided for in legislation. Inspections have shown that employers do not respect articles 85, 851 and 86 of the Labour Code in respect of annual basic minimum, basic and extended leave, or additional annual leave. During the inspections, on the request of labour inspectorate staff, employers paid compensation for losses to a total of 11,000 somoni.

153. In 2009, there were 1,468 persons (844 men and 614 women) requiring care from the State in residential homes. Of those, 537 were children and 774 were persons with disabilities of various categories. They were provided with three hot meals each day, clothing and a bed. They received social services and health care in line with legal standards. There are 1,070 staff in the residential homes. Article 50 of the Social Welfare for Persons with Disabilities Act provides for the rights of persons with disabilities living in residential homes and other residential social care facilities. Medical care and food are provided free of charge in residential homes. The living conditions in the residential homes and other residential social care facilities enable persons with disabilities to realize their rights and legitimate interests and ensure that their individual needs are met as far as possible.

154. Persons with disabilities living in residential social care facilities and working under a labour contract or agreement are exempt from State or employer deductions from their wages. Veterans (of either sex) are entitled to the following allowances set by law:

- The preferential right to free treatment in State health-care facilities, both inpatient and outpatient
- A free annual clinical check-up in a State health-care facility
- Free use after retirement of the polyclinics with which they were affiliated (including official State polyclinics)
- Free training in a new profession, on-the-job or on further training courses in the official State training and retraining system, while retaining their workplace salary during the whole period of training

- Use of paid annual leave at a convenient time and additional leave without pay
- Preference in the awarding of pensions and the payment of benefits
- Preference in being accepted into a residential home for the elderly or the disabled, into local social care centres for pensioners and social service home care sections
- Inclusion of time involved in hostilities at a rate of one year to three in calculation of years of service
- Priority (and, for disabled war veterans, without a wait) in applications for spa treatment, with a work-related discount for those still working or, for those not working, for free, paid by the relevant pension body
- Entry without taking a competitive examination to State higher and secondary vocational education establishments, and grants during the period of study at such establishments at the higher rate set by the Government
- If at work, additional leave without pay for up to three weeks (up to four weeks for disabled war veterans)
- Allowances for temporary incapacity for work at 100 per cent, irrespective of years of service
- Priority access to fuel
- 50 per cent reduction on accommodation rental, public utilities (except gas and light) and communications (subscription)
- Installation of a fixed telephone line without having to go on the waiting list
- 50 per cent reduction on the price of prescription medicines, within limits set by the Government, and on the cost of the manufacture and repair of false teeth (except for those made from precious metals) and other prosthetic or orthopaedic care, on medical indication
- The right to travel (return) by rail, air or intercity road transport once every two years for free or, on request, once each year with a 50 per cent reduction
- Free travel on all forms of municipal and peri-urban passenger transport (except taxis) and public vehicles (except taxis) in villages around the administrative district of the place of residence, and on peri-urban rail connections and urban bus lines

155. Furthermore, measures to ensure that women have equal rights to decent work are planned in the framework of the State programme establishing basic guidelines for State policy to ensure equal rights and opportunities for men and women in Tajikistan for the period 2001–2010. As part of the programme, the State employment agencies will do the following to secure employment for women during the period 2010–2011:

- From those positions currently available, help to place women in permanent jobs – 24,800 persons
- Provide career guidance – 7,400 persons
- Provide vocational training to improve qualifications and retraining in professions required by the labour market – 13,600 persons
- Support women's initiatives to develop entrepreneurship and self-employment – 3,500 persons
- Pay unemployment benefit

- Employ women in paid public work in the area of redevelopment and landscaping – 12,800 persons
- Provide employment for women and girl victims of violence and trafficking
- Introduce information campaigns and legal training for women
- Encourage women to take up various forms of home working

156. Tajikistan's social policy is traditionally based on the principle of active participation by State agencies and institutes with the direct involvement of NGOs, charitable foundations and private initiatives and the support of international donors. Work is currently going on with the support of the European Union-funded international Technical Assistance to Sector Policy Support Programme in the Social Sector, social benefits component, to streamline targeted social assistance for poor families.

Article 12

Paragraphs 21, 22, 24, 31, 32 and 33 of the Committee's concluding comments

157. The Government is taking all measures to eliminate discrimination against women in health care so as to ensure that men and women have equal access to medical services, particularly family planning, and to ensure that women have the services they need during pregnancy, childbirth and the postnatal period.

158. There are 1,982,900 women of reproductive age in Tajikistan, representing 54 per cent of the female population. The country's 1,282,800 children and adolescents (up to the age of 14) account for 35.6 per cent of the population. The population of working age is 4,373,200 persons, or 59.3 per cent; and there are 378,100 persons, or 5.1 per cent, of retirement age. Twenty-seven per cent of the population live in towns and 73 per cent in rural areas. There is currently a slight decline in the birth rate in Tajikistan. In 2008, it stood at 27.9 per 1,000 population (compared to 28.1 in 2007, and 26.7 in 2006), and it was 26.8 in 2009. The rise in the natural population growth indicator, which was 23.5 per 1,000 population in 2008 (23.3 in 2007), is continuing. The reduction in mortality is an important factor in population growth. The crude death rate remains relatively low at between 4.5 and 5.1 per 1,000 population in 2008 and 4.3 in 2009. However, male mortality is approximately 0.7–0.9 points per 1,000 higher than that of women. Official data show the number of deaths as: 3.8 per 1,000 population for women, 4.6 for men in 2006; 3.8 for women, 4.5 for men in 2007; 3.8 for women, 4.7 for men in 2008; and 3.7 for women, 4.6 for men in 2009. However, at different ages, the divergence between male and female mortality varies: at below working age (under 14), male mortality is 0.8–1.0 points per 1,000 higher than female mortality, while at working age, male mortality is 1.6 times higher than female mortality. Between 2006 and 2009, there was a rise in male mortality and a fall in female mortality in the population of retirement age. The maternal mortality ratio fluctuates, and is still at a high level. Data from the National Medical Statistics and Information Centre for recent years show the following figures: 2002: 45 per 100,000 live births; 2007: 28.0 per 100,000 live births; 2008: 38.4 per 100,000 live births; and 2009: 46.7 per 100,000 live births.

159. Obstetric haemorrhage is the main cause of maternal mortality, with high blood pressure during pregnancy coming second.

160. Although the proportion of births attended by qualified medical staff is high, at 83.5 per cent in 2006, 84.1 per cent in 2007, 85 per cent in 2008 and 85.2 per cent in 2009, this does not compensate for the fundamental problems of the quality and accessibility of medical care, particularly for the rural population.

161. Maternal mortality is influenced by women's health prior to pregnancy, the high level of abortions (94.9 per 1,000 live births in 2007, 90.9 in 2008, and 97.4 in 2009), early pregnancy and short birth intervals (26.9 per cent of women in 2007, 16.6 per cent in 2008 and 16 per cent in 2009 and 2010 did not observe an interval between successive births). This can be explained by the low level of public awareness and traditional approaches to health care in general, as well as to reproductive health.

162. Furthermore, the shortage of money, transport and qualified medical personnel is a serious obstacle to women having access to proper medical care. The lack of qualified medical staff also contributes to the high levels of maternal, perinatal, neonatal and infant mortality.

163. In order to reduce maternal and infant mortality indicators, on 1 August 2008, the Government adopted the National Safe Motherhood Plan for the period to 2015. The aim of the Plan is to ensure safe pregnancy and childbirth, including emergency obstetric and neonatal care, and a reduction in maternal and infant mortality.

164. To improve the quality of services provided, the Ministry of Health has adopted orders on the following subjects: procedures for and the organization of specialized obstetric care in medical institutions (14 May 2009); the introduction of technology for effective perinatal care in health-care facilities (26 September 2008); and ratification of the national standards on the antenatal period, physiological births, haemorrhage and high blood pressure (26 September 2008).

165. General contraceptive prevalence among women remains low, although the figure has increased each year. From 14.1 per cent in 2006, it rose to 15.6 per cent in 2007, 18.5 per cent in 2008 and 19.6 per cent in 2009. The indicator for contraceptive use by women was 22.1 per cent in 2006, 26.6 per cent in 2007, 25.9 per cent in 2008 and 25.5 per cent in 2009. Projects run by the Government and UNFPA have had a significant impact on contraceptive provision.

166. A project on capacity-building in the Ministry of Health and the National Reproductive Health Centre and development of the reproductive health information system has helped improve the contraceptive service registration and reporting system, making it possible to have a real idea of the volume and quality of the services provided.

167. With the support of UNFPA, reproductive health centres in the country are now able to supply intrauterine devices (IUDs), oral and barrier methods of contraception, and contraceptive injections to the public for free.

168. Furthermore, in some districts, rural populations have been given improved access to contraceptive services, as well as qualified consultative and medical care, through contraceptive campaigns supported by UNFPA and GTZ. Between 2006 and October 2010, a total of 24,818 women were seen and, of them, 8,331 were provided with contraceptive services.

169. Over the period 2006–2010, 156 specialists from reproductive health centres attended 67 capacity-building seminars on reproductive health and family planning, with subjects such as: safe motherhood, managing contraceptive resources, young people's reproductive health, reproductive health and technical support, and contraceptive use. Further seminars on sexual and reproductive health life skills for young people and adolescents, managing contraceptive resources, the role of primary health-care specialists in raising public awareness of reproductive rights and family planning, safe motherhood, maternal safety and reproductive health, good nutrition for pregnant and breastfeeding women and newborns, new technology for IUD insertion, the principles of youth-friendly services, sexually transmitted infections and HIV/AIDS have been attended by over 1,041 specialists.

170. In 2008, the Committee for Women, the Ministry of Internal Affairs, the Ministry of Education and the Healthy Lifestyles Centre held local meetings with women to raise public awareness on issues related to reproductive health, family planning, trafficking in persons, women's health, sexually transmitted infections and HIV/AIDS.

171. On 22 December 2006, the parliament adopted the Act to promote breastfeeding of infants. The aim was to establish an enabling environment for maternal and child health and promote good nutrition for infants and young children.

172. Forty-seven health-care facilities were awarded the title of "Baby-Friendly Hospital" between 2006 and 2009.

173. As of 1 April 2010, 2009 persons were officially registered with HIV, of whom 1,595, or 79.4 per cent, were men, and 414, or 20.6 per cent, were women. Knowledge sharing on transmission of the virus and methods of prevention is an important part of the strategy to reduce the rate of HIV/AIDS infection and change attitudes to people living with HIV. Research by the Ministry of Health, together with UNAIDS and UNFPA, shows that public awareness of HIV/AIDS stood at 68.5 per cent in 2006 and 83.3 per cent in 2009.

174. The National HIV/AIDS Prevention Programme for the period 2006–2010 has been adopted in implementation of the Act on prevention of the human immunodeficiency virus and acquired immunodeficiency syndrome. Preventive measures are being taken to reduce HIV/AIDS transmission in the population, including among women of reproductive age.

175. Traditional standards and stereotypes prevent women, and particularly girls, obtaining knowledge on reproductive health. As the population is very devout, it is important to involve religious leaders in supporting the national response to the HIV/AIDS epidemic. The curriculum of the State Islamic Institute of Tajikistan includes topics related to reproductive health and HIV/AIDS prevention. Religious leaders receive training locally and are encouraged to advocate safe behaviour.

176. On 24 May 2008, the Ministry of Health published an order introducing a protocol on the prevention of mother-to-child transmission of HIV on a pilot basis. The protocol covers prevention in health-care facilities, and is currently being introduced for doctors and obstetrician-gynaecologists in 18 pilot towns and districts throughout the country.

177. On 31 October 2009, the Government adopted the National Cancer Prevention, Diagnosis and Treatment Programme to improve cancer detection rates and provide better preventive, diagnostic and treatment services.

178. The aim of the Programme is to reduce morbidity and mortality resulting from cancers, particularly cervical and breast cancer, to improve the provision of specialized care for cancer patients, including emergency and palliative care, and to ensure wider public access to these services.

179. It puts particular emphasis on the availability of better quality preventive measures throughout the health system, improved access to early diagnosis in primary health care and hospitals through wide preventive coverage, and improved specialized care, including the introduction of screening programmes.

Article 13

180. Tajikistan is taking appropriate measures to eliminate discrimination against women in order to ensure, on a basis of equality of men and women, the right to family benefits, the right to bank loans and mortgages, and the right to participate in recreational activities, sports and all aspects of cultural life. Tajikistan's social policy is based on the principle of a social State, with conditions favourable to a decent life and the free development of the

individual. Human development and related processes, such as the protection of people's rights and interests, job availability, access to education in schools and institutes of further education, and social support for vulnerable population groups and those living below the poverty line, are decisive to economic development, poverty reduction and the improved well-being of the population.

181. Under article 14 of the State Social Insurance Act of 13 December 1997 and section IV of the Regulations on Social Benefits in Line with Social Insurance of 21 July 2003, women have the right to the following benefits: a one-time payment at the time of the birth of a child, and a monthly care allowance thereafter. The one-time payment at the time of the child's birth is calculated on the basis of three times the base coefficient for the birth of a first child, two for the birth of a second child and one for the birth of a third or subsequent child.

182. The allowance is paid at the place of work or study of one of the parents or, if the parents do not work or study, by the public social welfare agency in the place of residence. The one-time payment is awarded from the day of birth, if the application is made within six months of the birth. Where a woman is given leave to care for her child, she is paid a monthly care allowance from social insurance funds at her place of work until the child is 18 months old.

183. Under the Government Decision of 2 May 2007 on the payment of allowances to low-income families with children studying in general schools, the Government makes specific provision to support children from such families in general secondary schools. Each district or municipal local authority has a commission, headed by the authority's deputy chairperson for social affairs, that deals with the organization and awarding of the allowances. Furthermore, each school has a commission set up at the parents' and teachers' general assembly to deal with the payment of the allowances. It includes representatives of the village and settlement administrations, community (*makhalla*) councils and utilities managements. With the agreement of the administrations, councils and managements (in towns), the school commission decides which children qualify and proposes them for approval to the district or municipal commission.

184. Allowances for low-income families with children attending general elementary or secondary schools are awarded to families whose average monthly income per family member is less than 50 per cent of the minimum wage (80 somoni). Each year, 15 per cent of students in elementary, basic and secondary general schools receive these allowances, which are paid quarterly.

185. The Government is focusing on developing sport, with sporting events for men and for women:

(a) There were 1,249 women training in sports clubs in 2007, 1,256 in 2008 and 2,698 in 2009;

(b) 25,510 women attended health centres in 2007, 25,610 in 2008 and 25,664 in 2009;

(c) There were 6,247 participants in national sporting events in 2007, of whom 292 were women; 8,208 in 2008, of whom 323 were women; and 3,124 in 2009, of whom 390 were women.

Article 14

186. Appropriate measures are being taken in Tajikistan to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development, and that they have access to

adequate health-care facilities, including information, counselling and services in family planning, and to agricultural credit and loans, etc.

187. The transformation of the economic system and the structural reorganization of production have produced abrupt changes in the job market and increased the economic importance of the family. As a result, the focus of agricultural production has shifted from large collective farms to small private (*dekhkan*) farms, including individually-owned farms.

188. The Agricultural Policy Framework was approved by a Government decision of 31 December 2008.

189. Taking into account the particular problems faced by rural women and the significant role they play in ensuring the well-being of their families, the Ministry of Agriculture Order of 26 October 2009 set up a working group on gender issues, which addresses women's participation in the development of all branches of agriculture.

190. The Ministry of Agriculture has drafted and adopted over 154 sectoral programmes.

191. The Tajikistan Academy of Agricultural Sciences, the Tajik Agricultural University and the Agricultural Further Training Centre, as well as other agricultural training facilities, train specialists and research staff.

192. The Agricultural Further Training Centre provides retraining courses for specialists from the provincial and district authorities, privately owned farms, and water-user associations; between 25 and 35 per cent of the trainees are women.

193. In implementing the State programme establishing basic guidelines for State policy to ensure equal rights and opportunities for men and women in Tajikistan for the period 2001–2010, the Committee for Women and the Family has set up a gender network that includes representatives of various ministries, departments and voluntary associations involved in agriculture. The Committee holds regular training sessions on gender issues with the relevant specialists who have been appointed. For instance, the Committee and its local branches have 75 information and advice centres that carry out awareness-raising and provide advice on issues related to land reform and women's access to land. This is a temporary measure intended to increase women's access to land resources and to increase the number of privately owned farms and cooperatives headed by women. Data from the Statistics Agency reporting to the President shows that, while there were 60 privately owned farms headed by women in 2006, the number had risen to 4,175, an increase of 68.6 per cent, by 1 January 2010. However, women with access to land still represent less than 10 per cent of the population. Tajikistan is implementing targeted activities to expand women's access to land.

194. Currently there are 37,966 privately owned farms in the country, providing work for 67,842 women. There are 123 cooperatives in which women have equal access to economic possibilities through employment or independent activities.

195. In order to eliminate all forms of discrimination against women, Tajikistan's National Bank is doing all it can to ensure equal rights for men and women in the use of banking services and access to credit. The legislation governing banking activities does not discriminate against women. Credit bodies exist throughout the country providing local credit services to the population, including the rural population. All citizens, irrespective of sex, have equal access to credit facilities.

196. A presidential decree allocated support for the agriculture sector in the form of loans through commercial banks for privately owned farms to a total of 140 million somoni in 2008 and 180 million somoni in 2009.

197. In 2006, credit organizations provided small loans to 54,981 women to a total of 168.5 million somoni. This included 27.2 million somoni for 13,595 women in Khatlon province, 67.3 million somoni for 25,911 women in Soghd province, 9.4 million somoni for 3,307 women in Kūhistoni Badakhshon autonomous province, 41.4 million somoni for 4,574 women in Dushanbe, and 23.0 million somoni for 7,594 women in the centrally administered districts.

198. In 2007, credit organizations provided small loans to 88,663 women to a total of 332.6 million somoni. This included 69.1 million somoni for 24,185 women in Khatlon province, 121.3 million somoni for 39,694 women in Soghd province, 24.3 million somoni for 4,982 women in Kūhistoni Badakhshon autonomous province, 71.6 million somoni for 6,734 women in Dushanbe, and 46.2 million somoni for 13,068 women in the centrally administered districts.

199. In 2008, credit organizations provided small loans to 93,685 women to a total of 441.5 million somoni. This included 92.6 million somoni for 26,807 women in Khatlon province, 156.0 million somoni for 39,553 women in Soghd province, 29.0 million somoni for 5,206 women in Kūhistoni Badakhshon autonomous province, 99.8 million somoni for 6,679 women in Dushanbe, and 64.0 million somoni for 15,440 women in the centrally administered districts.

200. In 2009, credit organizations provided small loans to 74,488 women to a total of 395.8 million somoni. This included 68.1 million somoni for 19,112 women in Khatlon province, 156.3 million somoni for 35,397 women in Soghd province, 18.7 million somoni for 2,871 women in Kūhistoni Badakhshon autonomous province, 95.5 million somoni for 6,081 women in Dushanbe, and 57.1 million somoni for 11,027 women in the centrally administered districts (see table 13).

Article 15

201. Tajikistan recognizes the equality of women and men under the law. Human and civil rights and freedoms are governed and protected by the Constitution and laws of Tajikistan and by international legal instruments to which Tajikistan is party.

202. Article 17 of the Constitution states that all persons are equal before the law and the courts. The State guarantees the rights and freedoms of every individual, regardless of nationality, race, sex, religion, political beliefs, education, social status or property. Under article 24 of the Constitution, every citizen has the right to freedom of movement, freedom to choose his or her place of residence, and the right to leave and return to Tajikistan. Article 19 guarantees every person judicial protection and the right to seek a hearing of his or her case by a competent, impartial court. Victims are guaranteed judicial protection and compensation for injury caused. Under article 18, no one may be deprived of his or her life unless sentenced by a court for an especially serious offence.

203. The Suspension of the Death Penalty Act, No. 45, was adopted on 15 July 2004, suspending the use and implementation of such sentences. Changes had previously been introduced into the Criminal Code (art. 59) with the adoption of the Act of 1 August 2003,² which specifically excludes the possibility of such a sentence being used against women (it had previously been prohibited in the case of pregnant women). Penalties against women provided for in domestic legislation have also been relaxed, specifically under article 481 of the Criminal Code, according to which women may not be sentenced to perform community service. Article 54 stipulates that pregnant women may not be sentenced to

² Akhbori of the Majlis-i Oli of Tajikistan. 2003. No. 8. Art. 468.

semi-custodial penalties nor, under article 581, to life imprisonment. Furthermore, in line with article 78, where a convicted woman is pregnant or has children under the age of 8, the court may defer the sentence until the child's eighth birthday, except where the offence is particularly serious.

204. Three amnesty laws, applicable to both women and men, were adopted during the reporting period.

Result of the amnesty laws in respect of women during the period 2006–2009

(persons)

<i>Date of amnesty law</i>	<i>Number of convicted persons, suspects and defendants prior to implementation of the amnesty law</i>	<i>Number of women affected by the amnesty law</i>	<i>Of whom, exempted from serving remaining sentence</i>	<i>Of whom, remaining sentence reduced</i>
18 August 2006	448 in correctional colonies of whom: 37 in remand centres	448	251 from correctional colonies of whom: 37 from remand centres	197
20 June 2007	413 in correctional colonies of whom: 50 in remand centres	413	299 from correctional colonies of whom: 50 from remand centres	64
3 November 2009	288 in correctional colonies of whom: 48 in remand centres	336	232 from correctional colonies of whom: 48 from remand centres	56

Article 16

205. Tajikistan is taking appropriate measures to eliminate discrimination against women in all matters relating to marriage and protecting the interests of children.

206. Under article 33 of the Constitution, the State protects the family as the foundation of society. Everyone has the right to found a family. Men and women of marriageable age have the right to enter freely into marriage. Spouses have equal rights in family relations and in the dissolution of a marriage. Polygamy is banned by law and considered a criminal act.

207. The provisions of the Family Code are based on the principle of equal rights for men and women in family relations. In Tajikistan, the family, marriage, maternity, paternity and childhood come under the protection of the State. Family relations are regulated in conformity with the principles of the voluntary marital union of a man and a woman, the equality of rights of the spouses in the family, the resolution of family issues by mutual consent, priority being accorded to the children being brought up within the family, concern for the well-being and development of the children and priority on protecting the rights and interests of minor children and disabled family members.

208. Citizens assume the rights and responsibilities of husband and wife when their marriage is registered with a civil registry office. If a man and a woman have de facto marital relations, for that situation to be recognized as legal marital relations, the marriage must be registered with the civil registry office. Otherwise, such relations will not be recognized under the law as the relations of husband and wife, and thus will not entail the established rights and responsibilities of spouses.

209. Men and women have equal rights to begin divorce proceedings, except that the husband does not have the right, without the consent of the wife, to file for divorce while the wife is pregnant or for a year and a half after the birth of a child (Family Code, art. 17). The provisions of this article are intended to protect the interests of the wife and child during a vulnerable period (see table 5).

210. The Family Code (art. 61) stipulates equality of rights and responsibilities of parents, the father and the mother bearing equal responsibilities with regard to their children (parental rights). They enjoy equal rights and bear equal responsibilities as parents even if the marriage is dissolved (art. 66).

211. Questions of paternity, maternity, the upbringing and education of children and other issues related to family life are resolved jointly by the spouses on the basis of mutual consent and the principle of equality of the spouses (arts. 63 and 64).

212. The spouses have equal rights in resolving matters related to family planning. Equally, citizens also have the right to take independent decisions concerning reproduction and contraception (Reproductive Health and Reproductive Rights Act, art. 12).

213. Under article 33 of the Public Health Act, maternity is encouraged and protected by the State. Conditions are created for women that enable them to combine work and maternity, and legal protection is provided, as is financial and moral support. Under article 163 of the Act, pregnant women may, if so indicated by a medical opinion, be allowed reduced work output and service standards, or be transferred to a lighter job that precludes exposure to adverse production factors, with their average monthly wage maintained at the level of that of their previous job. Until such lighter alternative work that precludes exposure to adverse production factors is found for a pregnant woman, she must be released from work, while retaining the average monthly wage for all the working days so lost. If the work they are doing is contraindicated for breastfeeding mothers or does not accommodate a feeding regimen, women who have children under the age of 18 months are transferred to another job, with their average monthly wage maintained at the level of that of their previous job until the child reaches the age of 18 months.

214. Under civil and family law, tutors and guardians are appointed by the tutorship and guardianship authorities. Any competent citizen of either sex who have attained the age of majority may be appointed as tutors and guardians. The following persons may not be appointed as tutors or guardians: citizens who have been deprived of parental rights; former adoptive parents if the adoption was annulled because they performed their duties improperly; tutors or guardians who have been suspended from their duties because they improperly performed the duties assigned them; chronic alcoholics or drug abusers; and persons who, because of their health, cannot perform the duties associated with raising a child.

215. Under article 155 of the Family Code, the tutor or guardian of a minor has the right and is obliged to raise the minor and to tend to his or her health and physical, mental, spiritual and moral development, education and vocational training. Tutors and guardians are entitled to determine, on their own, the methods to be used for raising the children under their tutorship (or guardianship) and to choose the educational facility and forms of training until the person under their charge has received a basic general education, the opinions of the children and the recommendations of the tutorship and guardianship authorities being taken into account. The duties associated with the tutorship and guardianship of a child are performed by the tutor (or guardian) without compensation.

216. Under article 127 of the Family Code, individuals of either sex who have attained the age of majority may become adoptive parents, with the exception of the following:

- (a) Persons declared by a court to be incompetent or of limited competence;

- (b) Spouses, where one of the spouses has been declared incompetent or of limited competence;
- (c) Persons whose parental rights have been removed or restricted by a court;
- (d) Persons suspended of their duties as tutors or guardians for the improper performance of the duties assigned to them by law;
- (e) Former adoptive parents if, through their own fault, the adoption was annulled by a court;
- (f) Persons who, because of their health, cannot exercise their parental rights.

217. A list of illnesses that bar a person from adopting a child or taking a child under tutorship (or guardianship) is being compiled by the Government.

218. Spouses have equal personal rights and responsibilities under the law. In particular, spouses have the right to choose their family name, occupation, profession, activities, and place of residence and of work (Family Code, arts. 32–34). Spouses have equal rights with respect to ownership, use and disposition of both personal property (art. 36) and common property (art. 34). In addition, the Family Code also stipulates that spouses have equal rights to property, including if one of them has taken care of the household and looked after the children or, for other legitimate reasons, has not had an independent wage (art. 34).

219. To strengthen the legal regulation of this issue and take account of practices elsewhere in the world, a chapter on nuptial agreements has been incorporated into the Family Code; it defines the property rights and responsibilities of spouses in a marriage or on its dissolution and has recently begun to be applied.

220. Under article 27 of the Family Code, after dissolution of a marriage, a spouse who changed family name at the time of marriage may continue to use that family name if the other spouse agrees or may, on request at the time of registration of the dissolution with the civil registry office, have the pre-marriage name restored.

221. Spouses are obliged to support each other financially. If a spouse refuses to provide such support and there is no agreement between the spouses regarding the payment of maintenance, the following persons have the right to seek maintenance in the courts from a spouse who has the means to provide it:

- (a) A spouse who is disabled and indigent;
- (b) A wife during pregnancy and for three years after the birth of a child to the marriage (Family Code, art. 90).

A former wife has the right to seek maintenance in the courts from a spouse who has the means to provide it.

Annexes

Annex I

List of legislative acts concerning women adopted prior to 2009

- Constitution of the Republic of Tajikistan, of 6 November 1994
- Labour Code of 15 May 1997
- Criminal Code of 21 May 1998
- Code of Criminal Procedure of 3 December 2009
- Family Code of 13 November 1998
- Penal Enforcement Code of 6 August 2001
- Presidential Decree No. 5 of 3 December 1999 on enhancing the role of women in society
- Constitutional Act on Citizenship, No. 104 of 4 November 1995
- Social Welfare for Persons with Disabilities Act, No. 458 of 24 December 1991
- Citizens' Pensions Act, No. 911 of 25 June 1993
- Legal Status of Foreign Nationals Act, No. 231 of 1 February 1996
- State Social Insurance Act, No. 517 of 13 December 1997
- Suspension of the Death Penalty Act, No. 45 of 15 July 2004
- Education Act, No. 34 of 17 May 2004
- Act on State guarantees of equal rights for men and women and equal opportunities in the exercise of such rights, of 1 March 2005
- Reproductive Health and Reproductive Rights Act, No. 89 of 1 March 2005
- Citizens' Appeals Act, No. 208 of 21 November 2006
- Act to promote breastfeeding of infants, No. 221 of 22 December 2006
- Civil Service Act, No. 233 of 5 March 2007
- Act on State support for the agro-industrial complex, No. 241 of 5 March 2007
- Voluntary Associations Act, No. 258 of 12 May 2007
- Commissioner for Human Rights Act, No. 372 of 20 March 2008
- Government Decision No. 363 of 10 September 1998 approving the National Plan of Action to Enhance the Status and Role of Women (1998–2005)
- Government Decision No. 307 of 4 July 2006 approving the policy on the procedure for awarding presidential grants to support the development of small and medium-sized enterprises, encourage women and girls to seek career guidance, raise awareness of the law and create new jobs (2006–2010)
- Government decision No. 391 of 6 August 2001 approving the State programme establishing basic guidelines for State policy to ensure equal rights and opportunities for men and women in Tajikistan for the period 2001–2010

- Government decision No. 496 of 1 November 2006 approving the State programme for the education, selection and placement of capable women and girls in leadership positions for the period 2007–2016
- Government Decision No. 61 of 31 January 2006 approving the Programme of International Labour Migration for Tajik Citizens (2006–2010)
- Government Decision No. 100 of 3 March 2007 approving the regulations for establishing support and aid centres for victims of human trafficking
- Government Decision No. 213 of 6 May 2006 on the Comprehensive Programme to Combat Trafficking in Persons (2006–2010)
- Government Decision No. 244 on the payment of allowances to low-income families with children attending general schools
- Government Decision No. 658 of 31 December 2008 confirming the Agricultural Policy Framework
- Government Decision No. 181 of 2 April 2009 approving the regulations on setting recruitment quotas for specific population groups
- Government Decision No. 207 of 3 May 2010 approving the policy framework for changing to a new system of general education in Tajikistan
- Decision No. 704 of the Majlis-i Namoyandagon of the Majlis-i Oli of 28 June 2007 approving the National Development Strategy for the period to 2015
- Government Decision No. 587 of 31 October 2009 approving the National Cancer Prevention, Diagnosis and Treatment Programme (2010–2015)

Annex II

Table 1
Parliamentary representatives as of 1 January 2010
 (%)

	<i>Men</i>	<i>Women</i>	<i>Leaders (men/women)</i>	<i>Specialists (men/women)</i>
Majlis-i Milli of the Majlis-i Oli	64.3	35.7	100/-	71.0/29.0
Majlis-i Namoyandagon of the Majlis-i Oli	65.9	34.1	85.3/14.7	81.3/18.7

Table 2
Civil servants in Government departments as of 1 January 2010
 (%)

	<i>Men</i>	<i>Women</i>
Ministry of Justice	76.7	23.3
Ministry of Agriculture	73.2	26.8
Ministry of Foreign Affairs	79.2	20.8
Ministry of Education	65.8	34.2
Ministry of Land Reclamation and Water Resources	56.9	43.1
Ministry of Labour and Social Protection	72.4	27.6
Ministry of Finance	54.2	45.8
Ministry of Transport and Communications	71.5	28.5
Ministry of Economic Development and Trade	59.5	40.5
Ministry of Health	70.4	29.6
Ministry of Culture	81.2	18.8
Ministry of Energy and Industry	74.6	25.4
State Committee on Investment and Management of State Property	63.8	36.2
State Statistics Committee	38.6	61.4
Government Environment Committee	80.6	19.4
State Financial Audit and Anti-Corruption Committee	86.5	13.5
Committee for Television and Radio Broadcasting	64.0	36.0
Committee for Women and the Family	15.4	84.6
Committee for Youth, Sport and Tourism	76.8	23.2
Construction and Architecture Agency	71.8	28.2
Agency for Land Management, Geodesy and Cartography	76.7	23.3
National Olympic Committee	81.0	19.0

Table 3
**Distribution of civil servants in Government departments by professional group, as of
 1 January 2010**
 (%)

	<i>Senior staff</i>		<i>Specialists</i>	
	<i>Men</i>	<i>Women</i>	<i>Men</i>	<i>Women</i>
Ministry of Justice	100	-	75.0	25.0
Ministry of Agriculture	100	-	63.3	36.7
Ministry of Foreign Affairs	83.3	16.3	71.0	29.0
Ministry of Education	75.0	25.0	81.3	18.7
Ministry of Land Reclamation and Water Resources	83.3	16.3	75.0	25.0
Ministry of Labour and Social Protection	76.9	23.1	63.3	36.7
Ministry of Finance	100	-	72.1	27.9
Ministry of Transport and Communications	85.3	14.7	56.8	43.2
Ministry of Economic Development and Trade	86.5	13.5	67.7	32.3
Ministry of Health	88.2	11.8	50.0	50.0
Ministry of Culture	80.0	20.0	78.1	21.9
Ministry of Energy and Industry	84.2	15.8	55.0	45.0
State Committee on Investment and Management of State Property	75.0	25.0	66.1	33.9
State Statistics Committee	55.2	44.8	77.1	22.9
Government Environment Committee	92.9	7.1	31.9	68.1
State Financial Audit and Anti-Corruption Committee	100	-	97.0	3.0
Committee for Television and Radio Broadcasting	51.2	48.8	65.5	34.5
Committee for Women and the Family	-	100	20.0	80.0
Committee for Youth, Sport and Tourism	82.6	17.4	73.5	26.5
Construction and Architecture Agency	75.0	25.0	71.6	28.4
Agency for Land Management, Geodesy and Cartography	88.0	22.0	78.1	21.9
National Olympic Committee	100	-	73.7	26.3

Table 4
Cases involving offences against women examined during the period 2006–2009 and first 6 months of 2010

No.	Category of offence	Article of the Criminal Code	Year				First half 2010
			2006	2007	2008	2009	
1	Trafficking in persons	130, para. 1, 167	8 cases against 15 individuals	15 cases against 31 individuals	7 cases against 14 individuals	8 cases against 17 individuals	2 cases against 5 individuals
2	Rape	138	53 cases against 60 individuals	70 cases against 84 individuals	70 cases against 78 individuals	53 cases against 57 individuals	17 cases against 18 individuals
3	Bigamy or polygamy	170	192 cases against 192 individuals	183 cases against 183 individuals	162 cases against 162 individuals	140 cases against 140 individuals	49 cases against 49 individuals
4	Incitement to prostitution, establishment or keeping of a brothel, procurement and living off the earnings of prostitution	238, 239	80 cases against 83 individuals	89 cases against 97 individuals	54 cases against 55 individuals	75 cases against 77 individuals	37 cases against 38 individuals

Table 5
Applications for divorce, the awarding of child maintenance payments, establishment of paternity, recognition of paternity and deprivation of parental rights in the courts

No.	Type of application	Year				
		2006	2007	2008	2009	First half 2010
1	Divorce	3 112	4 452	4 832	5 385	3 109
2	Awarding of child maintenance payments	1 621	1 974	1 667	2 044	1 707
3	Establishment of paternity	526	732	798	1 207	541
4	Recognition of paternity	334	433	395	489	259
5	Deprivation of parental rights	13	22	9	18	8

Table 6
Women in the country's social and political life

No.	Political parties in Tajikistan	Total membership	Of whom: women	Women as % of
				total
1	Agrarian Party	30 000	7 500	25.0
2	Democratic Party	7 000	600	8.6
3	Communist Party	45 125	18 322	40.6
4	People's Democratic Party	128 458	48 654	37.9
5	Socialist Party	17 650	5 980	33.9
6	Social Democratic Party	7 680	3 287	42.8
7	Economic Reform Party	18 730	4 932	26.3
8	Islamic Renaissance Party	36 440	17 949	49.3

Table 7
Women working in the civil service

No.	Year	Women working in the civil service	Men		Women	
			Number	%	Number	%
1	2006	16 028	12 105	76	3 923	24
2	2007	16 023	12 178	76	3 845	24
3	2008	16 598	12 683	76.4	3 915	23.6
4	2009	16 995	12 850	75.6	4 145	24.4

Table 8
Elementary school coverage
 (% during school year)

	2005/06	2006/07	2007/08	2008/09
Total	99.0	99.6	101.1	102.5
Girls	96.3	97.4	99.0	100.7
Gender coefficient index	0.922	0.926	0.927	0.927

Table 8¹
Students in general schools
 (% during school year)

	2005/06	2006/07	2007/08	2008/09
Total	46.4	46.9	51.3	54.3
Girls	36.2	37.1	43.6	48.1
Gender coefficient index	0.644	0.657	0.741	0.799

Table 8²
Students in elementary vocational education
 (% per school year)

	2005/06	2006/07	2007/08	2008/09
Men	43.7	42.6	42.1	41.3
Women	56.3	57.4	57.9	58.7

Table 8³
Students in higher vocational education
 (at start of school year)

	2006	2007	2008	2009
Men	146 200	154 200	156 300	157 800
Women	40 100	43 400	45 300	46 000

Table 9
Women employees, by economic branch, 2006–2009

	2006	2007	2008	2009
Women employees	499 300	459 700	430 200	401 900
In:				
Industry	30 200	27 900	27 100	21 200
Construction	3 200	3 200	3 700	3 600
Agriculture and forestry	294 600	269 900	234 300	202 300
Transport and communications	7 900	7 600	7 700	6 200
Trade, catering, distribution, supplies, manufacturing	6 600	6 700	7 100	5 600
Other branches of production	1 800	1 800	1 600	1 800
Housing and utilities, non-productive consumer services	8 000	8 400	9 100	8 300
Health care	42 000	37 200	41 800	44 000
Education	84 300	76 100	74 000	85 500
Art and culture	6 400	6 500	6 300	5 900
Science and scientific services	1 800	1 800	1 900	1 700
Finance and State insurance	2 700	2 900	4 100	4 000
Administration	9 800	9 700	11 500	11 800

Table 9¹
Women in employment

Indicator	2006	2007	2008	2009
Women employees	499 300	459 700	430 200	401 900
% of total employees	46.1	43.1	40.8	40.0

Table 10
Nominal average monthly wages per person by economic branch for the period 2006–2009

	2006		2007		2008		2009	
	Average salary	Increase compared to previous year (%)	Average salary	Increase compared to previous year (%)	Average salary	Increase compared to previous year (%)	Average salary	Increase compared to previous year (%)
Total by branch	116.26	139	163.27	140	231.53	142	284.35	123
Industry	226.37	118	293.11	129	420.01	143	481.28	115
Agriculture	42.99	112	52.50	122	80.93	154	80.31	99
Forestry	40.99	146	50.89	124	84.65	166	149.02	176
Transport	232.32	128	394.01	170	587.21	149	660.72	113
Communications	555.89	192	482.62	87	849.15	176	771.47	91

	2006		2007		2008		2009	
	Average salary	Increase compared to previous year (%)	Average salary	Increase compared to previous year (%)	Average salary	Increase compared to previous year (%)	Average salary	Increase compared to previous year (%)
Construction	318.96	160	467.87	147	608.9	130	657.56	108
Trade, catering	106.93	135	144.51	135	203.3	141	273.37	134
Information Technology	133.42	129	152.31	114	320.46	210	735.08	229
Geology, geodesy and hydrometric services	128.21	130	204.32	159	283.75	139	354.39	125
Housing and utilities, non-productive consumer services	126.83	126	161.12	127	247.19	153	331.28	134
Health-care, physical education and social services	56.00	137	77.13	138	142.72	185	188.31	132
Education	102.11	135	140.79	138	181.57	129	251.67	139
Art and culture	84.31	142	105.87	126	157.99	149	213.72	135
Science and scientific services	132.20	125	166.53	126	244.92	147	320.50	131
Loans, insurance, finance	558.84	159	818.72	147	1 068.10	130	1 229.40	115
Administration	208.35	145	256.37	123	349.64	136	430.90	123

Table 11
Statistics from the Government Inspection Service for Labour, Employment and Public Welfare for the period 2006–2009

Indicator/Year	2006	2007	2008	2009
Total inspections	1 081	1 076	1 268	1 254
Of total:				
Concerning labour issues	1 081	902	930	781
Concerning employment issues	-	9	23	67
Concerning pensions and other social benefits	-	165	315	406
Complaints and other applications considered:	285	477	520	1 047
Violations of labour legislation in respect of labour, employment and social welfare issues, total	7 031	7 332	8 795	6 155
Of total violations found:				
Concerning occupational safety issues	7 031	6 970	8 106	3 925
Concerning employment issues	-	26	51	278
Concerning pensions and other social benefits	-	336	638	1 952
Findings of State inspections of working conditions	-	-	-	55
Salaries and other social allowances owed paid on the request of labour inspectorate staff (thousands of somoni)	10 268	10 753	8 196.4	18 006
Allowances and compensation to workers and their	-	58	260	359

<i>Indicator/Year</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>	<i>2009</i>
families in respect of accidents and industrial disease paid on the request of labour inspectorate staff (thousands of somoni)				
Of total violations found:				
Pensions and social benefits paid on the request of labour inspectorate staff (thousands of somoni)	-	53.4	123.2	452.3
Administrative fines imposed on officials, legal persons and individuals involved in business activities without establishment of a legal person, total	-	-	-	150
Total fines imposed, thousands of roubles	-	-	-	94.2
Total fines imposed, thousands of roubles	-	-	-	53.3
Employees subject to disciplinary action as a result of inspections, total	161	148	177	117
Cases sent as a result of inspections to Office of the Procurator for criminal prosecution of persons guilty of violating labour laws, total	51	112	194	64

Table 12
Unemployed, 2006–2009

<i>No.</i>	<i>Indicator/Year</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>	<i>2009</i>
1	Number of unemployed	7 174	8 152	8 080	8 400
2	Total amount paid (somon)	717 328	844 531	852 500	1 900 000
3	Sums disbursed per unemployed person per month, exclusive of grant (somon)	33.3	34.5	35.2	35.2

Table 13
Microcredit given to women, 2006–2010

<i>Provinces and centrally administered districts</i>	<i>Credit issued (thousands of somoni)</i>	<i>Number (persons)</i>
2006		
Total in country	168 565	54 981
Of which:		
Khatlon Province	27 233	13 595
Soghd Province	67 392	25 911
Kühistoni Badakhshon autonomous province	9 425	3 307
Dushanbe	41 475	4 574
Centrally administered districts	23 040	7 594
2007		
Total in country	332 652	88 663
Of which:		
Khatlon Province	69 103	24 185

<i>Provinces and centrally administered districts</i>	<i>Credit issued (thousands of somoni)</i>	<i>Number (persons)</i>
Soghd Province	121 340	39 694
Kūhistoni Badakhshon autonomous province	24 317	4 982
Dushanbe	71 620	6 734
Centrally administered districts	46 272	13 068
2008		
Total in country	441 467	93 685
Of which:		
Khatlon Province	92 637	26 807
Soghd Province	155 984	39 553
Kūhistoni Badakhshon autonomous province	28 960	5 206
Dushanbe	99 858	6 679
Centrally administered districts	64 028	15 440
2009		
Total in country	395 819	74 488
Of which:		
Khatlon Province	68 159	19 112
Soghd Province	156 267	35 397
Kūhistoni Badakhshon autonomous province	18 731	2 871
Dushanbe	95 536	6 081
Centrally administered districts	57 125	11 027