



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

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**Committee on the Elimination of Discrimination
against Women**
Thirty-seventh session

Summary record of the 772nd meeting

Held at Headquarters, New York, on Friday, 26 January 2007, at 3 p.m.

Chairperson: Ms. Šimonović

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Combined initial, second and third periodic reports of Tajikistan (continued) (CEDAW/C/TJK/1-3, CEDAW/C/TJK/Q/3 and Add.1)

1. *At the invitation of the Chairperson, the members of the delegation of Tajikistan took places at the Committee table.*

Articles 7 to 9 (continued)

2. **The Chairperson** invited the delegation to continue with its responses.

3. **Ms. Sharipova** (Tajikistan) said that the State had adopted an education and employment programme geared particularly towards women and young girls, in an effort to implement the Equality and Equal Opportunities for Men and Women (State Guarantees) Act. All citizens of Tajikistan were equally entitled to employment by the State. Women represented about one quarter of the employees in the civil service, the executive branches of Government and the courts and about half of the employees in local representative bodies, the central organs and Parliament; there were two women in the Government, one being a minister and the other being the Deputy Prime Minister.

4. **Mr. Dodov** (Tajikistan) said that many women were employed in the diplomatic service: nine women had graduated from the diplomatic academy, two women were heads of department in the central apparatus and other women worked in foreign missions and embassies.

5. **Mr. Khamidov** (Tajikistan) said that men and women were represented in all State administration structures, although not proportionately. There were many barriers to the mainstreaming of women in politics, one being gender stereotyping. Moreover, most women were reluctant to assume the responsibilities of higher office. The Government was therefore having to make real normative and practical changes to ensure equal rights and opportunities for both men and women.

6. Family voting was largely a relic from the Soviet era. During the 2006 presidential elections, the Government had put out many short films explaining

that if anyone tried to vote on another person's behalf they risked having the election results invalidated.

7. With regard to quotas for women in the electoral system, they did not exist even in most developed countries, with the exception of some Scandinavian countries. Nevertheless, the issue of quotas would be examined.

8. Responding to the question about the public funding of elections, he acknowledged that the Government was funding all political parties and candidates to help them cover their expenses. With regard to women on party lists, in certain regions elections were based on an absolute majority, while in others it was up to each party to decide on the gender composition of its list.

9. With regard to article 8 of the Equality and Equal Opportunities for Men and Women (State Guarantees) Act, all citizens were equally entitled to participate in the electoral process and to hold senior positions.

10. **Ms. Schöpp-Schilling** said that not only the Scandinavian countries, but many countries in Africa, Latin America and Asia and almost all the original European Union countries had quota systems, albeit with different methods of application.

11. **Ms. Neubauer**, noting that the Government seemed to be firmly committed to using all measures available to ensure equal representation of male and female candidates on electoral lists, asked whether it was considering any temporary measures to that end.

12. **Ms. Belmihoub-Zerdani** said that since the Government had not issued any reservations concerning article 4 of the Convention it must consider temporary special measures.

13. **Mr. Khamidov** (Tajikistan) acknowledged that many developing countries had adopted quota systems, adding that apart from France and Germany, few of the original European Union countries had done so. Recalling that article 10 of the Constitution gave precedence to the provisions of international treaties that had been accepted by Tajikistan over domestic law, he said that the Government was studying the issue of quotas in the light of those provisions and other specific circumstances.

14. **The Chairperson** pointed out that Committee members were only making suggestions and that it was

up to the Government to decide which measures to adopt.

15. **Ms. Zou Xiaqiao**, noting, from the tables in the responses to the list of issues and questions (CEDAW/C/TJK/Q/3/Add.1), that enrolment rates for girls were still lower than those for boys and that the gap between the two widened in the higher grades, asked what measures the Government was taking to deal with the situation and whether it had adopted any special measures in promoting independence in young women, such as technical and vocational training schools.

16. **Ms. Schöpp-Schilling** asked what measures had been taken to reduce the high dropout rate among female students. Girls returning to school after some years of absence might need special classes so as to avoid being placed with younger girls while they caught up. She welcomed the increases in teachers' salaries and the quotas for rural women in specialist training courses. She asked whether the trainees from rural areas completed their training and returned to their villages to work. She also asked whether scholarships granted to students provided enough resources to live on.

17. **Ms. Mukhammadieva** (Tajikistan) said that enrolment rates in school were improving, although girls still lagged behind boys by a few percentage points. The problem of dropouts was under study and various programmes had been established to encourage children, especially girls, to stay in or return to school. With regard to scholarships, funds provided by the State had never been intended to satisfy all needs as families traditionally provided extensive support to young relatives in school. The Government was developing a plan to improve the reliability of statistics on school enrolment.

18. **Ms. Patten**, noting, with regard to article 11 on employment, that the Constitution spoke of equal pay for equal work, whereas the Labour Code seemed to speak of equal pay for work of equal value, asked which principle applied. She requested more information on how jobs were classified and on the machinery available to enforce labour laws. She asked about campaigns to make women aware of their employment rights and about legal aid for women. It would be valuable to have more information on efforts to prevent discrimination in employment against all vulnerable groups, such as the disabled. She asked

what was being done to promote the participation of women in senior management positions and in professions where women had traditionally not been active. She requested information on the wage structure of female-dominated professions.

19. **Ms. Arocha Domínguez** asked how the Government monitored and worked to eliminate wage discrimination and barriers to the full participation of women in all professions at all levels. Noting that girls sometimes dropped out of school to take low-paying jobs, she asked whether the Government had taken steps to prevent the hiring of under-age girls. She requested information on training programmes for women and vulnerable groups, such as the disabled. Noting that indicators seemed to show a persistent high level of poverty, she asked how women were affected by that situation.

20. **The Chairperson**, speaking as a member of the Committee, asked whether there were plans to change the mandatory retirement age for women to bring it in line with that of men.

21. **Ms. Mukhammadieva** (Tajikistan) said that, although the Labour Code prohibited discrimination in wages and access to professions, certain sectors were female-dominated and tended to be less well paid. Women were heavily represented in health care, the arts and education, but were underrepresented in newer sectors such as banking, which was the highest paid profession. Women were also very active in small businesses, in trade and markets and in agricultural work, all of which allowed for more flexible hours. The Government had instituted a programme to raise wages in the public sector, where many women were employed, by at least 20 per cent each year and to involve women in preparing the national poverty reduction strategy. People on disability, including women, received no special wage differential but were usually assisted in other ways, e.g. by shorter working hours, longer vacations and subsidies for medicines. The proportion of women managers was rising but still under that of men.

22. **Ms. Sharipova** (Tajikistan) said that the law allowed no preference or discrimination based on gender or other extrinsic factors, but it was not discriminatory to impose controls on certain areas of work that required greater social protection, especially with regard to vulnerable workers, such as women and the disabled. Those who felt they had been

discriminated against could bring actions in court, and in such actions the burden of proof lay first with the employer.

23. **Ms. Mukhammadieva** (Tajikistan) said that the State Statistics Committee periodically monitored the standard of living of the population. The poverty level was still over 60 per cent, although it had fallen since the previous survey. Although the statistics were not all disaggregated by sex, it was clear that women were over-represented among the unemployed and those below the poverty line, and the Government was studying ways to improve that situation. The Statistics Committee helped to prepare gender indicators for all economic sectors and cooperated extensively in the preparation of the national poverty reduction strategy, the national development strategy and the strategy for achieving the Millennium Development Goals.

24. **Mr. Khamidov** (Tajikistan), responding to the question regarding plans to change the retirement age for women, said that the matter had been raised in Parliament in 2000 and had caused vehement debate. The issue was again under discussion but no specific proposal had been made.

25. **Ms. Gabr** stressed the need for statistics on maternal mortality rates in urban and in rural areas and expressed the hope that future reports would contain more specific studies on women's health. Such studies should also cover serious diseases such as AIDS.

26. **Ms. Pimentel** noted that the report painted a much rosier picture concerning women's access to reproductive health services than did the responses to the list of issues and questions (CEDAW/C/TJK/Q/3/Add.1). Indeed the latter contained some disturbing information about maternal mortality rates. She therefore asked for clarification.

27. **Ms. Simms** asked what the Government was doing to improve the lot of the wives of the thousands of men who went away as migrant workers. Such women not only had to bear the whole burden of looking after themselves and their families but were also at risk of contracting AIDS from their husbands, since they were not in a position to negotiate safe sex.

28. **Mr. Kurbonov** (Tajikistan), referring to the question put by Ms. Pimentel, said that according to available statistics, the maternal mortality rate was 120 per 100,000 births and the infant mortality rate was 86 per 100,000. The Government had taken several

steps in order to provide for safe maternity and to improve reproductive health, including by making arrangements to provide for safe home births. It had also set up a whole network of reproductive health services which provided not only contraceptive services, but also antenatal and post-natal care. However, the country still needed equipment and medication, as well as transportation, to deal with emergencies during childbirth.

29. Contraception usage had increased from 9.3 per cent of women of reproductive age, to between 28 and 30 per cent. The Government had expanded access to modern contraceptive methods by organizing family planning services at both town and village level.

30. With 72 per cent of women living in rural areas, the Ministry of Health had adopted a strategy of training people at the village level to assist health specialists in providing contraceptive and safe motherhood services. It had also designed a package of essential antenatal, delivery and post-natal services, which were provided to poor women without charge.

31. With regard to the question concerning women whose husbands were migrant workers, he said that they were not regarded as a particular category; for they and other women who required contraceptive assistance, those services were free, being provided with assistance from UNFPA.

32. HIV/AIDS was a very urgent problem; according to the statistics the country had 710 people infected with HIV/AIDS, of whom 124 were women. The Government was working hard to prevent the spread of the infection. With support from the Global Fund to Fight Aids, Tuberculosis and Malaria, 30 consulting centres had been set up throughout the country to provide anonymous testing and anonymous counselling, free of charge. Advice and information on HIV/AIDS prevention, in the form of pamphlets, films and educational materials, were all provided under the Global Fund, and distributed free of charge. The country had also started to provide the necessary drugs, also free of charge, again thanks to the Global Fund.

33. **Ms. Patten**, noting that Tajikistan had been identified as one of the 24 States parties with a significant number of landmine survivors and that most of the casualties were reported to be civilians, asked what assistance was being given to the victims, in terms of health care, rehabilitation, education and awareness-raising campaigns.

34. As some women had successfully operated individual and collective farms, she asked whether there was a programme to facilitate networking and exchange of information. She also wished to know what the Government was doing to inform women about the opportunities available to them as a result of the land reform laws and whether there was a body to help them with the complex and lengthy procedure of registration.

35. She wondered what the Government was doing to ensure equal access for male and female market vendors, and whether there were any programmes to train women in aspects of running a business; whether there were any outreach programmes to inform poor women in remote areas of market opportunities and whether they were being helped to take advantage of such opportunities. Finally, she asked what support services — such as, for example, affordable childcare services — were provided to the large number of widowed women with children.

36. **Ms. Tan** noting that, according to the report, the number of female-headed households might be as high as 40 per cent and that such families were among the poorest and worked in agriculture because that was their only means of survival, asked whether there were any government programmes to alleviate the extreme poverty in the rural areas, and if so how many female-headed households had benefited from them.

37. According to the report major agricultural reforms had started in 1992, with the creation of *dekhkan* (individual) farms, and households had received the right to lifetime use of a plot of land along with the right of inheritance. She asked what percentage of the owners of such farms were women, whether that percentage reflected the State's policy of affording equal opportunities to men and women and what steps were being taken by the Government to rectify any gender imbalance.

38. **Ms. Gumede Shelton** noted that while, according to the report (p. 56) 98 per cent of the *dekhkan* farms were headed by men, the responses to the list of issues and questions (CEDAW/C/TJK/Q/3/Add.1) gave other, confusing statistics (pp. 22 and 23). She asked for clarification.

39. Noting that the report also referred to the complexities of farm registration, she asked whether the process had been simplified in order to facilitate women's access to land ownership.

40. Drawing attention to a further inconsistency, she pointed out that while the report stated that the literacy rate for women between the ages of 9 and 49 was 99.8 per cent (p. 54), it also said that rural women's access to economic and legal information was limited because of the absence of relevant education (p. 57). She asked how that apparent inconsistency could be reconciled.

41. Finally, she asked for information about the working conditions of women in State-owned cotton farms

42. **Ms. Begum** commended the State party for its efforts to promote microcredit schemes, but pointed out that most women did not have the marketing skills needed to ensure that their products reached appropriate buyers. She wished to know whether the Government had taken any steps to sell those products on the domestic and international markets and whether export subsidies had been considered in that connection. She also enquired about the measures in place to ensure that women received their fair share of the profits from such enterprises. She asked whether loans available to female entrepreneurs were granted on a collective or individual basis, and requested information about collateral requirements, interest rates and default penalties.

43. Lastly, referring to article 12 of the Convention, she asked about the measures taken to disseminate, among teenage girls, information on HIV/AIDS and its prevention.

44. **Ms. Mukhammadieva** (Tajikistan) said that, in 2004, the Government, assisted by the United Nations Development Fund for Women (UNIFEM) and a number of consultants, had undertaken a survey to determine the number of women working on *dekhkan* farms. The results had revealed, inter alia, that 13 per cent of all registered farms were run by women. Moreover, it had emerged that farms managed by women tended to yield greater harvests than those run by men.

45. The State Land Management Committee was devoting particular attention to the plight of widows, who received monthly allowances if their children were still of school age. The Government was currently discussing the possibility of providing material support to widows and other vulnerable groups.

46. With a view to promoting women's employment, the Ministry of Labour and Social Protection and State banks and financial institutions offered interest-free loans; some 40,000 women had benefited thus far. In collaboration with its social development partners, the Ministry also provided microloans to rural women in order to supplement their incomes.

47. **Ms. Sharipova** (Tajikistan), responding to the questions put by Ms. Patten, said that the Government had established the specialized Mine Action Centre, which was responsible for coordinating all mine-clearance activities, including the preparation of detailed minefield maps.

48. **Mr. Khamidov** (Tajikistan) pointed out that, in accordance with the relevant legislation, landmine victims were entitled to social assistance from the State.

Articles 15 and 16

49. **Ms. Tan** noted with concern that, although prohibited under the Family Code, bigamy and polygamy remained widespread in the State party. She enquired as to the punishment meted out to convicted offenders, and wondered whether religious leaders or the parents of underage spouses were subject to prosecution for their role in facilitating polygamous unions. She urged the Government to take an unequivocal position on the issue and to ensure the stringent application of the relevant provisions of the Family Code.

50. **Ms. Gaspard** asked for an estimate of the total number of polygamous households in Tajikistan. She wished to know who was responsible for bringing cases of alleged polygamy before the courts, and also enquired as to the consequences of prosecution for all parties involved, especially women. In order to eliminate polygamy, the Government must do more to eradicate poverty and overcome negative attitudes towards unmarried women.

51. **Ms. Dairiam** said that, according to her sources, at least 5 per cent of marriages in the State party were forced. She wished to know whether that figure was correct and, if so, what the Government was doing to address the situation. Referring to cross-border marriages, she requested information about the measures taken to protect the human rights of the women involved and, where appropriate, to secure their repatriation.

52. **Ms. Gumede Shelton** said that in her own country, South Africa, all religious officiants were required to become licensed civil registry officials, thereby ensuring that all religious marriages were also registered as civil marriages. She encouraged the State party to consider adopting similar provisions with a view to eradicating polygamy.

53. **Ms. Belmihoub-Zerdani** commended the State party for its Family Code, which, in her opinion, was perfectly compatible with the Convention.

54. **Mr. Flinterman** enquired whether the Government intended to comply with its international commitments by raising the minimum age for marriage. He also pointed out that, while the State party's legislation on divorce was couched in gender-neutral terms, women tended to lose out during settlements.

55. **Ms. Pimentel** requested statistical data on children with disabilities and their access to educational services.

56. **Ms. Schöpp-Schilling** wondered whether children born into unregistered marriages could obtain birth certificates and, if not, whether their access to educational services was affected. She enquired whether the State party was contemplating any measures to increase the marriage registration rate, and suggested waiving the registration fee.

57. **Ms. Sharipova** (Tajikistan), conceding that further efforts were needed to eradicate polygamy, said that women in Tajikistan were beginning to express their views on that subject in public forums and that measures would have to be adopted to prevent religious leaders from facilitating polygamous unions and to ensure that the courts took the issue seriously. It was extremely difficult to determine the number of forced marriages, because the women affected tended — or were forced — to withhold such information. Nevertheless, the Government would continue to combat that phenomenon in all its dimensions.

58. Provided that paternity could be established, children born into unregistered marriages could obtain birth certificates, and their mothers were entitled to claim alimony. Although the minimum age for marriage had been discussed when the Family Code was amended, it had become clear that the population at large favoured early marriage. Further debate on that question would be required.

59. **Ms. Mukhammadieva** (Tajikistan) said that, in 2006, 1,575 children were enrolled in various special schools for, inter alia, the blind, the deaf and the mentally impaired. Similar State-run schools existed for orphans and children from single-parent or low-income families.

60. **Mr. Khamidov** (Tajikistan) said that Tajikistan was doing its utmost to honour its obligations under the Convention. His delegation had endeavoured to respond openly to the Committee's questions, and he looked forward to pursuing the cooperation in the future.

61. **The Chairperson** said that Tajikistan had made significant progress in implementing the provisions of the Convention, particularly at the legislative level. She urged the Government to pursue its efforts over the forthcoming years.

The meeting rose at 5.30 p.m.