



# Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

Distr.: General  
23 May 2025

Original: English  
English, French, Russian and  
Spanish only

## Committee against Torture

### List of issues in relation to the fourth periodic report of Tajikistan\*

#### Issues identified for follow-up in the previous concluding observations

1. In its previous concluding observations,<sup>1</sup> the Committee requested the State Party to provide information on the follow-up to its recommendations on investigating acts of torture, the enjoyment of fundamental legal safeguards, and hazing, ill-treatment and torture in the armed forces (paras. 10, 18 and 46, respectively). On 12 August 2021, the State Party submitted information on follow-up to those concluding observations.<sup>2</sup> On 4 May 2022, the Committee's Rapporteur for follow-up to concluding observations addressed a letter to the State Party,<sup>3</sup> in response to which the State Party provided additional information, on 25 July 2022.<sup>4</sup> In view of the above, and noting the information provided in the State Party's fourth periodic report,<sup>5</sup> the Committee considers that these recommendations have been partially implemented.

#### Articles 1 and 4

2. With reference to paragraphs 18 to 22 of the State Party's periodic report, please indicate whether the crime of torture under article 143-1 of the Criminal Code, as revised in 2020, is subject to a statute of limitations. Please indicate whether orders from a superior officer or a public authority may be invoked as a justification for torture and whether there are any circumstances in which a subordinate is permitted lawfully to oppose an order to commit acts of torture. Please provide examples of cases of torture tried before the domestic courts under the revised article 143-1 of the Criminal Code, indicating the perpetrator's function and the sentence imposed.

\* Adopted by the Committee at its eighty-second session (7 April–2 May 2025).

<sup>1</sup> CAT/C/TJK/CO/3, para. 51.

<sup>2</sup> CAT/C/TJK/FCO/3.

<sup>3</sup> See

[https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCAT%2FFUL%2FTJK%2F48596&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCAT%2FFUL%2FTJK%2F48596&Lang=en).

<sup>4</sup> CAT/C/TJK/FCO/3/Add.1.

<sup>5</sup> CAT/C/TJK/4.



**Article 2<sup>6</sup>**

3. With reference to paragraphs 26 to 47 and 164 of the State Party's periodic report, and in the light of the Committee's previous recommendations<sup>7</sup> and the letter from the Committee's Rapporteur for follow-up to concluding observations dated 4 May 2022, please provide details of the specific measures taken to guarantee the prompt appearance of detainees before a judge, as well as any plans to reduce the period of pre-charge police custody from 72 to 48 hours for adults and from 48 to 24 hours for children. Please describe any further measures taken to prevent any cases of unrecorded detention, including administrative detention and the detention of those invited informally to police stations for "conversations" or as witnesses, and to ensure access to the register of detainees by their respective lawyers and relatives. In addition to the statistics provided in paragraph 47 of the State Party's periodic report, please provide updated information on cases of arbitrary detention and cases in which the authorities failed to respect fundamental legal safeguards.

4. With reference to paragraphs 27, 39 and 49 to 53 of the State Party's periodic report, please indicate the measures taken to ensure that all persons in all districts of the State Party enjoy their right to be assisted by an independent lawyer of their choice and to have access to qualified, independent and free legal aid, if necessary, from the outset of the deprivation of their liberty. Please provide details about the number of legal aid lawyers in the country, as well as an update on the planned opening of legal aid centres throughout the country in line with the National Strategy for the Protection of Human Rights up to 2038 and its action plan for the period 2023–2025. Please inform the Committee of the impact of the amendments and supplements to the Bar and Legal Profession Act and of any measures adopted to strengthen the independence of the qualifications commission from the Ministry of Justice, in accordance with the Committee's previous recommendation.<sup>8</sup>

5. With reference to paragraphs 24 and 25 of the State Party's report, and in the light of the Committee's previous recommendations,<sup>9</sup> please provide information on the measures taken to guarantee the functional independence, adequate resources and overall compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) of the Office of the Commissioner for Human Rights, as well as details on the amendments to the Commissioner for Human Rights Act prepared by the working group at the national level. With reference to the information provided in paragraph 13 of the State Party's report, please provide disaggregated data on the number of complaints received by the Commissioner for Human Rights during the period under review concerning misconduct by law enforcement officers or the conditions in which persons are deprived of their liberty. Please also provide information on the outcomes of these complaints.

6. Please provide updated information on efforts to establish a separate offence of domestic violence in the Criminal Code and explain whether it includes marital rape, in line with the Committee's recommendation,<sup>10</sup> as well as information on the definition of rape in article 138 of the Criminal Code, which is based on the lack of freely and voluntarily given consent, in line with international standards, and information on any other legislation, whether proposed or enacted, to combat gender-based violence, including domestic violence. Please describe the complaints mechanisms that exist for victims of all forms of gender-based violence and indicate whether the State Party has taken any concrete steps to

<sup>6</sup> The issues raised under article 2 could also touch on issues raised under other articles of the Convention, including article 16. As stated in paragraph 3 of the Committee's general comment No. 2 (2007) on the implementation of article 2, the obligation to prevent torture in article 2 is wide-ranging. The obligations to prevent torture and other cruel, inhuman or degrading treatment or punishment under article 16 (1) are indivisible, interdependent and interrelated. The obligation to prevent ill-treatment in practice overlaps with and is largely congruent with the obligation to prevent torture. In practice, the definitional threshold between ill-treatment and torture is often not clear. See also section V of the same general comment.

<sup>7</sup> CAT/C/TJK/CO/3, para. 18.

<sup>8</sup> Ibid., para. 20.

<sup>9</sup> Ibid., para. 16. See also CEDAW/C/TJK/CO/7, paras. 28 and 29; CERD/C/TJK/CO/12-13, paras. 9 and 10; E/C.12/TJK/CO/4, paras. 8 and 9; and CCPR/C/TJK/CO/3, paras. 9 and 10.

<sup>10</sup> CAT/C/TJK/CO/3, para. 48 (c). See also CEDAW/C/TJK/CO/7, paras. 36 and 37.

enhance their effectiveness and independence and to train and instruct police officers to properly record and consider complaints of criminal acts of violence against women, rather than persuading them to reconcile with the perpetrators or requiring them to provide medical reports confirming injuries that they have suffered. Please also explain in detail any steps taken to strengthen preventive measures, including by raising awareness of the unacceptability and adverse impact of violence against women, including domestic violence, and encourage the reporting of such violence. With reference to paragraphs 229 to 233, 236 to 238, 242 and 243 of the State Party's periodic report, please provide updated statistical data on the number of protection orders concerning gender-based violence sought and awarded during the reporting period, and the number of complaints, investigations, prosecutions, convictions and sentences resulting from these complaints,<sup>11</sup> and provide information on the financial resources allocated by the State Party to protection services for victims of gender-based violence during the reporting period, including in rural areas.

7. In addition to the information provided in paragraphs 187 to 190 of the State Party's periodic report, please provide statistical data on the number of criminal cases involving trafficking in persons, in particular the number of convictions and sentences handed down and the number of victims who have received redress. Please explain the procedures for the early identification of victims of trafficking, including among asylum-seekers, and their implementation in practice, indicate any measures taken to combat trafficking for labour and sexual exploitation and child marriage,<sup>12</sup> and provide information on the resources allocated to the provision of assistance adequately tailored to the needs of victims of trafficking, in addition to the agreements concluded with civil society actors.

### Article 3

8. With reference to paragraphs 116, 117, 121 and 122 of the State Party's periodic report, please provide updated statistical data on the number of asylum applications received during the period under review, the number of successful applications and the number of asylum-seekers whose applications were accepted on the ground that they had been tortured or were in danger of being tortured if returned to their country of origin. Please also provide information on the following:

(a) The number of persons who have been returned, extradited or expelled during the reporting period, disaggregated by country of origin, indicating the countries to which they were returned, extradited or expelled and the grounds on which they were sent back, the number of refusals of entry at the borders and the number of foreigners, including children, held in detention;

(b) Guarantees in place to ensure that all individuals under the jurisdiction of the State Party, including Afghan nationals and others in situations of irregular border crossing, have access to legal assistance for asylum-seekers at border entry points, are not subjected to collective expulsions and pushbacks and receive appropriate and individual consideration of their application for international protection by the competent authorities, and that such applications are subject to a fair and impartial review by an independent decision-making mechanism on expulsion, return or extradition, with suspensive effect;

(c) The amendments introduced to article 335 (1) of the Criminal Code, which provides for the punishment of illegal border crossing in the form of a fine or imprisonment, except in the case of arrivals by persons seeking political asylum, with the aim of harmonizing it with the non-penalization clause and the procedure for lodging an asylum application provided for in article 6 of the Refugees Act;

(d) Any steps taken to resume cooperation with the Office of the United Nations High Commissioner for Refugees to ensure that it has access to detention centres and can provide asylum-seekers with independent, qualified and free legal advice and representation and systematically monitor the arrival of asylum-seekers at border entry points.

<sup>11</sup> [CCPR/C/TJK/CO/3](#), paras. 19 and 20; and [E/C.12/TJK/CO/4](#), paras. 30 and 31.

<sup>12</sup> [CEDAW/C/TJK/CO/7](#), paras. 34 and 35; and [CERD/C/TJK/CO/12-13](#), paras. 31 and 32.

9. Please indicate whether asylum-seekers and refugees are free to choose their place of residence and whether the State Party has considered revising decision No. 325 of 2000 on the list of settlements in Tajikistan in which the temporary residence of asylum-seekers and refugees is not permitted, as mentioned in paragraphs 105 and 106 of the State Party's periodic report, in order to exempt asylum-seekers from sanctions for violation of residence restrictions leading to revocation of refugee status and deportation. In this connection, please provide information on the number of returns carried out under decision No. 325 of 2000 during the reporting period. Please comment on allegations received by the Committee that the national authorities, notably agents of the State Committee for National Security, have ill-treated, harassed, arbitrarily detained, subjected to family separation and forcibly returned mainly Afghan refugees and asylum-seekers, including women and children, officially registered with the national authorities since November 2021, often without legal proceedings, on the grounds of national security and public order and without any due process guarantees, in apparent contravention of the principle of non-refoulement.<sup>13</sup>

10. Please indicate whether the State Party has taken steps to collect information on all stateless persons and persons at risk of statelessness in the country, and in particular stateless women and their children, with a view to providing them with access to identity documents, status determination prior to deportation, and access to healthcare, housing, social assistance and employment opportunities. In addition, please indicate whether the State Party is considering ratifying the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness.<sup>14</sup>

#### **Articles 5–9**

11. Please provide information on any new legislation or measures adopted to fully implement article 5 of the Convention. Please inform the Committee of any extradition treaties concluded with other States Parties and indicate whether the offences referred to in article 4 of the Convention are included as extraditable offences in such treaties. Please indicate the measures that have been taken by the State Party to comply with its obligation to extradite or prosecute (*aut dedere aut judicare*). Please specify the treaties or agreements on mutual legal and judicial assistance that the State Party has entered into and indicate whether such treaties or agreements have led in practice to the transfer of any evidence in connection with prosecutions concerning torture or ill-treatment. If they have, please provide examples.

#### **Article 10**

12. Noting the information provided in the State Party's periodic report related to training activities organized for law enforcement officers, members of prison personnel, judges, procurators, military personnel, and lawyers on subjects connected with torture prevention, please indicate whether the State Party has developed a methodology to assess the effectiveness of these programmes in reducing the number of cases of torture and ill-treatment and, if it has, please provide detailed information on that methodology. Please indicate whether specific training on non-coercive interrogation and investigation techniques, including the Principles on Effective Interviewing for Investigations and Information-Gathering (the Méndez Principles), has been included in the programme.

13. With reference to paragraphs 44 to 46 of the State Party's periodic report, please describe any training programmes developed for and delivered to judges, prosecutors, forensic doctors and medical professionals dealing with detained persons on detecting and documenting the physical and psychological sequelae of torture, in particular on the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol), as revised. Please indicate the frequency of such training programmes, whether they are compulsory or optional for the above-mentioned professionals, and how many medical and health professionals have been trained to date.

---

<sup>13</sup> CEDAW/C/TJK/CO/7, paras. 16 and 17; CERD/C/TJK/CO/12-13, paras. 23 and 24; and E/C.12/TJK/CO/4, paras. 22 and 23.

<sup>14</sup> CERD/C/TJK/CO/12-13, paras. 25 and 26.

**Article 11**

14. Please provide information on any initiatives introduced to equip police stations, remand centres and penal institutions with audiovisual equipment to record interrogations. Please inform the Committee whether defendants and their lawyers are able to obtain video and audio recordings of interrogations at no cost to the defendant and whether such recordings may be used as evidence in court.

15. With reference to the Committee's previous recommendations<sup>15</sup> and the information provided by the State Party in paragraphs 132 to 139, 157 and 158 of its periodic report, please indicate what further steps have been taken since 2022 to improve material conditions in all places of detention, including with regard to exercise in the open air for persons held in pretrial detention centres and prisons and for persons serving life sentences, and concerning living space, hygiene and sanitation in all places of detention. Please provide up-to-date information on the progress made in the implementation of the penitentiary reform strategy for the period up to 2030. Please provide details about measures taken to increase the use of alternatives to detention, both before and after trial. Please provide information on the steps taken to amend the Penal Enforcement Code to review the special regime for persons serving a sentence of life imprisonment and integrate them into the general prison population and on programmes of educational and recreational activities for all categories of detainees. Furthermore, please provide information on measures taken to guarantee the rights of persons deprived of liberty to have, adopt and manifest their religion or belief free from coercion, and please comment on allegations received by the Committee that solitary confinement is used to punish detainees who exercise their right to practise their religion or belief. With reference to the information provided in paragraphs 142 and 143 of the State Party's periodic report, please provide updated information on the amendments introduced to the Penal Enforcement Code, taking into account the requirements of the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (Bangkok Rules), as well as on any further measures taken to improve the situation and material conditions in the women's prison, including access to medical care. Noting that the information provided by the State Party relates to various training activities for staff of the women's prison, please indicate whether the number of qualified staff in the women's prison increased as well.

16. With regard to healthcare in places of deprivation of liberty, please inform the Committee about the steps taken to ensure that psychiatric and psychological assistance and adequate medical assistance are provided to all prisoners, including older persons, and about the evaluation of the programmes and other initiatives in place for the prevention, detection and treatment of chronic, degenerative and infectious diseases in pretrial detention facilities and prisons, in particular tuberculosis and HIV/AIDS, as reported in paragraphs 57 to 68, 140, 141 and 146 to 153 of the State Party's periodic report. In addition, please explain in detail any specific programmes in place that aim to address drug prevention and treatment and the rehabilitation of detainees who use drugs. With reference to the statistics provided in paragraphs 70 and 86 of the State Party's report, please provide updated disaggregated data indicating the number of deaths in custody since 2022, including information on the age and sex of the victim, cause of death and any investigations undertaken in this regard and their outcomes.

17. With reference to paragraphs 30 and 40 to 43 of the State Party's periodic report, please provide details about the results of the monitoring of the implementation of the Detained Persons Medical Examination Protocol, and about the analysis of shortcomings identified in the domestic forensic medical service and any measures taken to address them. With reference to the information provided in paragraphs 76 to 79 of the State Party's report, please clarify whether any further steps have been taken to establish an independent forensic institution in the country that carries out forensic examinations, including in cases of deaths in custody, and whether any training has been provided to forensic, health and legal professionals, as well as law enforcement and prosecution personnel, on the Minnesota Protocol on the Investigation of Potentially Unlawful Death. Please provide

---

<sup>15</sup> CAT/C/TJK/CO/3, paras. 34 and 38.

details on the outcome of investigations opened, if any, into several incidents of deaths among prisoners that occurred in the course of 2018 and 2019.

18. With reference to the information provided in paragraphs 92 and 99 of the State Party's periodic report, please also indicate whether the State Party has given further consideration to ratifying the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and establishing an independent national preventive mechanism to regularly monitor places of detention, in line with the provisions of the Optional Protocol. Please provide updated information on the number of monitoring visits to places of detention carried out by the Commissioner for Human Rights and non-governmental organizations since 2022, specify the facilities visited and clarify the measures taken to ensure the access of the Monitoring Group to all places of deprivation of liberty, as previously recommended by the Committee,<sup>16</sup> to enhance its capacity to visit psychiatric and psychoneurological institutions and to allow non-governmental organizations to regularly monitor all places of detention outside the framework of the Monitoring Group. With reference to paragraph 100 of the State Party's report, please update the Committee on the status of the draft agreement between the State Party and the International Committee of the Red Cross on cooperation and humanitarian activities concerning persons deprived of their liberty.

19. With reference to the Committee's previous recommendations<sup>17</sup> and the information provided in paragraphs 154 to 156 of the State Party's periodic report, please indicate the measures taken to ensure that all persons deprived of liberty have access to a complaints mechanism through which they can transmit confidential allegations of torture or ill-treatment to the Commissioner for Human Rights or another independent investigative authority that cannot be accessed by administrators of the detention facility in which they are held. Please specify the steps taken to establish effective complaints mechanisms available for children in conflict with the law in juvenile institutions, as recommended by the Committee.<sup>18</sup>

20. Regarding the national programmes recently adopted to enhance legislation, prevent delinquency and improve the situation and rehabilitation of children in conflict with the law, as reported in paragraphs 159 to 163 and 175 to 178 of the State Party's periodic report, please explain whether an evaluation of these programmes has been carried out and, if so, what the results were, and indicate whether the State Party has adopted a new strategy in this area. Please inform the Committee about the proposed amendments to chapter 14 of the Criminal Code to take into account the best interests of the child with a view to mitigating sanctions for child offenders, and their implementation in practice if they have been adopted. In addition to the training on juvenile justice provided during the reporting period, please also submit information on the use of alternatives to detention for children and the existence of judges specialized in juvenile justice.

### **Articles 12 and 13**

21. With reference to the information provided in paragraphs 12 to 15 of the State Party's periodic report, and in the light of the Committee's previous recommendation<sup>19</sup> and the letter from the Committee's Rapporteur for follow-up to concluding observations dated 4 May 2022, please provide updated information on concrete measures taken to establish a separate and independent investigative mechanism or unit capable of conducting effective investigations into allegations of torture and ill-treatment committed by public officials, with adequately trained staff, sufficient resources to carry out such investigations and collect evidence and guarantees of independence in place. Please explain the measures taken to ensure that the internal security units of law enforcement agencies, mentioned in paragraph 12 of the State Party's report, comply with the requirement for an independent mechanism and that there is no institutional or hierarchical relationship between the investigators of the mechanism and the alleged perpetrators of such acts.

---

<sup>16</sup> Ibid., para. 28 (a).

<sup>17</sup> Ibid., para. 36.

<sup>18</sup> Ibid., para. 40.

<sup>19</sup> Ibid., para. 10.

22. Please provide updated statistical data, disaggregated by, inter alia, sex, age, nationality and geographical location, on the number of criminal complaints of torture under article 143-1 of the Criminal Code and of other acts of ill-treatment submitted to the State Party's authorities, as well as the number of investigations initiated, the number of prosecutions conducted and the number and nature of sentences imposed on perpetrators found guilty of torture or other ill-treatment since 2022. In particular, please provide information on measures taken to investigate allegations of torture or ill-treatment against individuals on the basis of their actual or perceived religion or belief, including in military settings, for example against practising Muslims, including Ismailis, and Jehovah's Witnesses. Furthermore, please indicate whether there have been any ex officio investigations into cases of torture in the absence of a formal complaint. Please indicate whether, during the reporting period, there were any cases in which medical professionals dealing with persons deprived of their liberty submitted a copy of the results of the medical examination documenting signs and allegations of torture or ill-treatment of an arrested or detained person to the competent authorities for further investigation. Please provide information on the number of cases investigated concerning allegations of torture and ill-treatment in which expert reports were drawn up in accordance with the methodology of the Istanbul Protocol. Please also provide further details on the outcome of the 85 complaints of torture received between 2018 and 2021 (see paras. 15, 89 and 154 of the State Party's report), including the number of cases that were closed or discontinued and the grounds for such decisions, the number of investigations initiated, prosecutions conducted, and sentences handed down to perpetrators found guilty of torture or ill-treatment, and the number of cases in which public officials were suspended or dismissed from their posts as a result of the criminal investigation, prosecution or conviction. Please update the Committee on the manual for the verification of complaints of torture and ill-treatment, mentioned in paragraph 126 of the State Party's report, and its use in practice. Please also explain whether the court hearings in cases of torture are open to the public or to independent monitoring bodies if the public is excluded due to protection or security measures.

23. Please indicate what concrete measures the State Party has put in place to ensure that all instances of torture and ill-treatment, including excessive use of force, arbitrary and incommunicado detentions during and in the aftermath of the peaceful demonstrations and protests that began in Kūhisoni Badakhshon Autonomous Oblast in November 2021 and the so-called special military operations carried out in various regions of the State Party, are promptly, effectively and impartially investigated.<sup>20</sup>

#### **Article 14**

24. In addition to the information provided in paragraph 186 of the State Party's report, please provide an update on the number of claims for compensation for pecuniary and non-pecuniary damage made in relation to allegations of torture, the number of requests granted and the amounts ordered and actually provided in each case. Please also provide information on any ongoing reparation programmes, including those providing specialized treatment for trauma and other forms of rehabilitation, for victims of torture or ill-treatment and on the material, human and budgetary resources allocated for their effective functioning.

#### **Article 15**

25. With regard to the information provided in paragraph 91 of the State Party's periodic report, please provide information on the number of cases during the reporting period in which the courts have found evidence to be inadmissible on the basis that it was obtained through torture or ill-treatment, in accordance with article 88 of the Code of Criminal Procedure, and provide examples of those cases.

<sup>20</sup> CERD/C/TJK/CO/12-13, paras. 13 and 14; and A/HRC/55/50/Add.1, paras. 47–49 and 62. See also <https://www.ohchr.org/en/statements-and-speeches/2022/03/global-update-bachelet-urges-inclusion-combat-sharply-escalating>; <https://www.ohchr.org/en/press-releases/2022/04/tajikistan-un-experts-sound-alarm-about-tensions-gbao-urge-protection-pamiri>; and <https://www.ohchr.org/en/press-releases/2022/05/tajikistan-un-expert-fears-crackdown-against-pamiri-minority-could-spiral>.

## Article 16

26. With reference to the Committee's previous recommendation,<sup>21</sup> and the letter dated 4 May 2022 from the Committee's Rapporteur for follow-up to concluding observations, and noting the cases mentioned in paragraphs 212 to 216 of the State Party's periodic report, please provide updated and detailed information on the number of non-combat deaths in the armed forces, as well as on hazing and other mistreatment of conscripts by officers and fellow soldiers, and the follow-up given to those cases, criminal and/or disciplinary sanctions imposed on offenders, and compensation and rehabilitation provided to victims and/or their families, since 2022. Please comment on whether the results of any investigations were made public.

27. Please provide information on any measures, legislative or otherwise, taken by the State Party to ensure that lawyers, including those representing high-profile clients in detention, civil society actors, journalists and human rights defenders, including those working on minority rights, may exercise their rights by conducting their legitimate and peaceful work in an enabling environment, free from the threat of intimidation, reprisals, smear campaigns, arbitrary detentions, and ill-treatment and torture, including to extract confessions, and from the reported misuse of the criminal law, such as the counter-extremism and counter-terrorism legislation, in that context.<sup>22</sup> Has the State Party adopted a zero-tolerance policy in cases of intimidation and stigmatization of human rights defenders, journalists and lawyers? With reference to paragraphs 54 to 56 of the State Party's report, please provide details on number of protection and security measures afforded to human rights defenders and journalists against threats, reprisals or other forms of violence. Lastly, please provide further details about the work of the commission for the protection of lawyers within the Union of Lawyers of Tajikistan.

28. With reference to the Committee's previous recommendations,<sup>23</sup> please explain any steps taken by the State Party to publicly condemn, investigate and prosecute, where necessary, acts of torture and other types of abuse against individuals on the basis of their actual or perceived sexual orientation or gender identity, and to explicitly criminalize hate crime and hate speech, and provide details on the collection of data on investigations, prosecutions and convictions in these cases during the reporting period. In addition, please provide statistics on prosecutions carried out under article 125 of the Criminal Code, which criminalizes the transmission of HIV, and comment on allegations that this provision is misused for extortion, blackmail and harassment of individuals based on their sexual orientation or gender identity. Please explain what protective measures have been put in place to guarantee respect for the autonomy and physical and personal integrity of lesbian, gay, bisexual, transgender and intersex persons and prohibit explicitly the practice of so-called conversion therapy, and other forced, involuntary or otherwise coercive or abusive treatments against them, including the invasive medical interventions and surgeries allegedly required by the authorities for legal gender recognition.

### Other issues

29. Please describe the extent to which the national legal framework on countering terrorism and violent extremism is compatible with the State Party's obligations under the Convention. In particular, please explain how the reportedly vague and broad definitions contained in laws on preventing extremism and combating terrorism, as identified by special procedure mandate holders,<sup>24</sup> are compatible with the State Party's obligations under the Convention to ensure that such laws do not criminalize the work of lawyers,

<sup>21</sup> CAT/C/TJK/CO/3, para. 46.

<sup>22</sup> CEDAW/C/TJK/CO/7, paras. 20 and 21; CERD/C/TJK/CO/12-13, paras. 35 and 36; E/C.12/TJK/CO/4, paras. 12 and 13; and A/HRC/55/50/Add.1, paras. 40–76 and 107. See, for example, A/HRC/WGAD/2019/17, A/HRC/WGAD/2020/89, A/HRC/WGAD/2021/48, A/HRC/WGAD/2022/39, A/HRC/WGAD/2022/77, A/HRC/WGAD/2024/18 and A/HRC/WGAD/2024/19.

<sup>23</sup> CAT/C/TJK/CO/3, para. 50. See also CCPR/C/TJK/CO/3, paras. 15 and 16.

<sup>24</sup> A/HRC/55/50/Add.1, paras. 36–39. See also communication TJK 5/2022, available at <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=27787>.

human rights defenders, civil society actors and journalists, and how the State Party has addressed the inconsistencies between those laws and the international human rights standards enshrined in national legislation. Please specify the number of convictions under legislation adopted to combat terrorism, provide information on the legal safeguards and remedies available in law and in practice for persons suspected of terrorism or other security-related offences and indicate whether there have been complaints of the non-observance of international standards in applying measures to combat terrorism and, if there have, what the outcomes were.

---