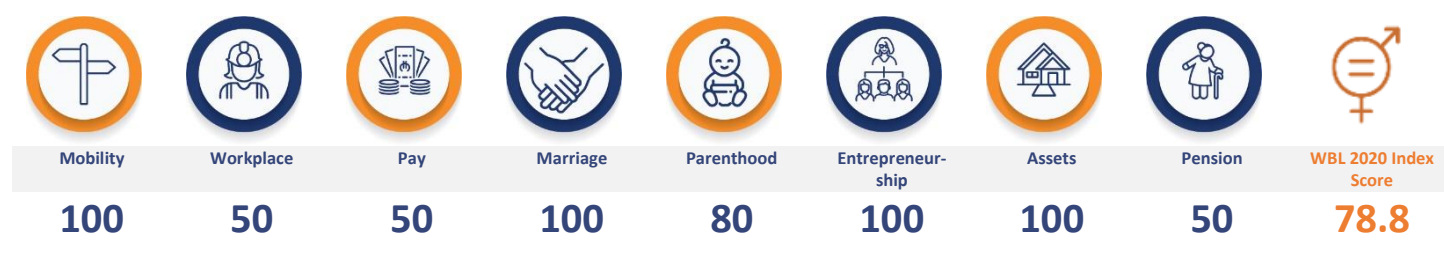


Tajikistan

Women, Business and the Law 2020 presents an index covering 190 economies and structured around the life cycle of a working woman. In total, 35 questions are scored across the eight indicators. Overall scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. Data refer to the laws and regulations that are applicable to the main business city (Dushanbe). Different rules may apply in other jurisdictions so local legislation should be reviewed. Based on this approach, **Tajikistan scores 78.8 out of 100**. The overall score for Tajikistan is lower than the regional average observed across Europe & Central Asia (84.2).

Tajikistan - Scores for Women, Business and the Law 2020



Relative Strengths

When it comes to constraints on freedom of movement, constraints related to marriage, constraints on women's starting and running a business, and gender differences in property and inheritance, Tajikistan gets a perfect score.

Areas for Improvement

However, when it comes to laws affecting women's decisions to work, laws affecting women's pay, laws affecting women's work after having children, and laws affecting the size of a women's pension, Tajikistan could consider reforms to improve legal equality for women.

For example, one of the lowest scores for Tajikistan is on the indicator related to laws affecting women's decisions to work (the WBL2020 Workplace Indicator). To improve on the Workplace Indicator, Tajikistan may wish to consider enacting legislation protecting women from sexual harassment in employment, and adopting criminal or civil penalties for sexual harassment in employment.

Recent Reforms (2018-2019)

No reforms impacting the WBL2020 indicators have been observed during the past two years.



	QUESTION	ANSWER	LEGAL BASIS
Mobility	Can a woman choose where to live in the same way as a man?	Yes	Family Code of the Republic of Tajikistan, Arts.1(4) and 32
	Can a woman travel outside her home in the same way as a man?	Yes	Family Code of the Republic of Tajikistan, Arts.1(4) and 32
	Can a woman apply for a passport in the same way as a man?	Yes	Law on Identity Documents, Art. 16; Passport application form
	Can a woman travel outside the country in the same way as a man?	Yes	Family Code of the Republic of Tajikistan, Arts.1(4) and 32
Workplace	Can a woman get a job in the same way as a man?	Yes	Family Code of the Republic of Tajikistan, Arts. 1(4) and 32
	Does the law prohibit discrimination in employment based on gender?	Yes	Law No. 89 of 1 March 2005, Arts. 3 and 13
	Is there legislation on sexual harassment in employment?	No	No applicable provisions could be located
	Are there criminal penalties or civil remedies for sexual harassment in employment?	No	<i>Criminal:</i> No applicable provisions could be located <i>Civil:</i> No applicable provisions could be located
Pay	Does the law mandate equal remuneration for work of equal value?	Yes	Law No. 89 of 1 March 2005, Art. 130
	Can women work the same night hours as men?	Yes	No restrictions could be located
	Can women work in jobs dangerous in the same way as men?	No	Jobs deemed hazardous: Labor Code, Art. 216 Jobs deemed arduous: Labor Code, Art. 216 Jobs deemed morally inappropriate: No restrictions could be located
	Are women able to work in the same industries as men?	No	Mining: Labor Code, Art. 216 Construction: Resolution No. 179 of 4 April f 2017 Factories: Resolution No. 179 of 4 April f 2017 Agriculture: Labor Code of July 23, 2016 Energy: Resolution No. 179 of 4 April 2017 Water: Resolution No. 179 of 4 April 2017 Transportation: Resolution No. 179 of 4 April 2017 Other: No restrictions could be located
Marriage	Is there no legal provision that requires a married woman to obey her husband?	Yes	Family Code of the Republic of Tajikistan, Arts. 1(4) and 32
	Can a woman be head of household in the same way as a man?	Yes	Family Code of the Republic of Tajikistan, Arts.1(4) and 32
	Is there legislation specifically addressing domestic violence?	Yes	Law on the Prevention of Domestic Violence
	Can a woman obtain a judgment of divorce in the same way as a man?	Yes	No restrictions could be located
Parenthood	Does a woman have the same rights to remarry as a man?	Yes	No restrictions could be located
	Is paid leave of at least 14 weeks available to mothers?	Yes	Labor Code, Art. 223
	Does the government pay 100% of maternity leave benefits?	Yes	Labor Code, Arts. 113 and 36
	Is there paid paternity leave?	No	Labor Code, Art. 116
	Is there paid parental leave?	Yes	Labor Code, Art. 224
	Is dismissal of pregnant workers prohibited?	Yes	Labor Code, Art. 215
Entrepren.	Does the law prohibit discrimination in access to credit based on gender?	Yes	Law on State Protection on Equal Rights Between Men and Women and Equal Opportunities in the Exercise of Such Rights, Arts. 3 and 12
	Can a woman sign a contract in the same way as a man?	Yes	Family Code of the Republic of Tajikistan, Arts.1(4) and 32
	Can a woman register a business in the same way as a man?	Yes	Law on State Registration of Legal Entities, Arts. 10-11
	Can a woman open a bank account in the same way as man?	Yes	Family Code of the Republic of Tajikistan, Arts. 1(4) and 32
Assets	Do men and women have equal ownership rights to immovable property?	Yes	Family Code of the Republic of Tajikistan, Art. 35
	Do sons and daughters have equal rights to inherit assets from their parents?	Yes	Civil Code of the Republic of Tajikistan (III), Arts. 1166 and 1169
	Do female and male surviving spouses have equal rights to inherit assets?	Yes	Civil Code of the Republic of Tajikistan (III), Arts. 1166 and 1169
	Does the law grant spouses equal administrative authority over assets during marriage?	Yes	Family Code of the Republic of Tajikistan, Art. 35
	Does the law provide for the valuation of nonmonetary contributions?	Yes	Family Code of the Republic of Tajikistan, Art. 34(3)
Pension	Are the ages at which men and women can retire with full pension benefits equal?	No	Women: Law No. 796 of 25 June 1993, Art. 11 Men: Law No. 796 of 25 June 1993, Art. 11
	Are the ages at which men and women can retire with partial pension benefits equal?	No	Women: Law No. 796 of 25 June 1993, Arts. 17 and 11 Men: Law No. 796 of 25 June 1993, Arts. 17 and 11
	Are the mandatory retirement ages for men and women equal?	Yes	Women: No applicable provisions could be located Men: No applicable provisions could be located
	Are periods of absence due to child care accounted for in pension benefits?	Yes	Law No. 796 of 25 June 1993, Art. 63(1)()