

# Tajikistan

WBL 2.0 legal frameworks score	WBL 2.0 supportive frameworks score	WBL 2.0 expert opinions score
<b>70.0</b>	<b>48.3</b>	<b>76.3</b>

*Women, Business and the Law 2024* (WBL 2024) identifies barriers for women’s economic empowerment in three areas: women’s legal rights, policy instruments designed to support the implementation of these rights, and how these rights are realized in practice. For that purpose, three new *Women, Business and the Law 2.0* indexes are presented for ten indicators: (1) legal frameworks, (2) supportive frameworks, and (3) expert opinions. For the WBL 2.0 legal frameworks index, 40 questions are scored across the ten indicators for 190 economies. For the WBL 2.0 supportive frameworks index, 30 questions are scored across the ten indicators for 190 economies. Overall economy level legal and supportive frameworks scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. The WBL 2.0 expert opinions index is created for a total of 164 economies. Expert opinion scores are not available for 26 economies due to an insufficient number of responses received from those economies during data collection. Individual responses at the economy level for 15 expert opinions questions across the ten indicators are scored by taking the median value of all responses per question. The economy level expert opinions index is equal to the simple unweighted average of the ten indicator scores.

For Tajikistan, data refer to the legal frameworks, supportive frameworks, and expert opinions that are applicable to the main business city (Dushanbe). The scores for Tajikistan are shown in the table below.

## Women, Business and the Law 2024 2.0 indicator scores

										
WBL 2.0	Safety	Mobility	Workplace	Pay	Marriage	Parenthood	Childcare	Entrepreneurship	Assets	Pension
Legal frameworks score	50.0	100.0	100.0	50.0	100.0	75.0	25.0	50.0	100.0	50.0
Supportive frameworks score	0.0	66.7	33.3	50.0	66.7	33.3	0.0	100.0	33.3	100.0
Expert opinions score	62.5	100.0	62.5	75.0	68.8	62.5	62.5	93.8	75.0	100.0

In summary, the **WBL 2.0 legal frameworks score** for Tajikistan (70.0 out of 100.0) is higher than the global average (64.2) and lower than the Europe & Central Asia regional average (77.0). When it comes to constraints on freedom of movement, laws affecting women’s decisions to work, constraints related to marriage and laws affecting women’s property and inheritance, Tajikistan obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Tajikistan is on the indicator measuring laws affecting childcare. To improve on the Childcare indicator, Tajikistan may wish to consider introducing legislation on any form of support to families for childcare services, putting in place legislation on any form of support to non-state childcare providers and adopting legislation on quality standards for the provision of childcare services in center-based settings.

The **WBL 2.0 supportive frameworks score** for Tajikistan (48.3 out of 100.0) is higher than the global average (39.5) and lower than the Europe & Central Asia regional average (51.3). When it comes to supportive frameworks related to women starting and running a business and supportive frameworks affecting the size of a woman’s pension, Tajikistan obtains a

perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Tajikistan is on the indicator measuring supportive frameworks affecting women's safety. To improve on the Safety indicator, Tajikistan may wish to consider developing comprehensive mechanisms to address violence against women, putting in place special procedures for cases of sexual harassment, designating a government entity responsible for the monitoring and implementation of national services, plans and programmes addressing violence against women, providing an annual budgetary allocation towards violence against women risk mitigation and prevention and response programs.

The **WBL 2.0 expert opinions score** for Tajikistan (76.3 out of 100.0) is higher than the global average (65.7) and higher than the Europe & Central Asia regional average (75.2). When it comes to expert opinions on freedom of movement and expert opinions on women's pensions, Tajikistan obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Tajikistan is on the indicator measuring expert opinions on women's safety.

## WBL 2.0 legal frameworks data

QUESTION	ANSWER	LEGAL BASIS
<b>Safety</b>		
Is there legislation on domestic violence?	Yes	Law on the Prevention of Domestic Violence, Arts. 1 and 21; Criminal Code, Art. 138
Is there legislation on femicide?	No	No applicable provisions could be located
Is there comprehensive legislation on sexual harassment?	No	No applicable provisions could be located
Is there legislation on child marriage?	Yes	Family Code, Arts. 13(1) and 29; Criminal Code, Arts. 168 and 169
<b>Mobility</b>		
Can a woman travel internationally in the same way as a man?	Yes	Law on Identity Documents, Art. 16; Family Code, Arts. 1(4) and 32
Can a woman choose where to live in the same way as a man?	Yes	Family Code, Arts. 1(4) and 32
Can a woman travel outside her home in the same way as a man?	Yes	Family Code, Arts. 1(4) and 32
Do women and men have equal rights to confer citizenship to their spouses and their children?	Yes	Constitutional Law on Citizenship, Arts. 13 and 15
<b>Workplace</b>		
Can a woman get a job in the same way as a man?	Yes	Family Code, Arts. 1(4) and 32
Does the law prohibit discrimination in employment based on gender?	Yes	Law on State Guarantees of Equal Rights for Men and Women and Equal Opportunities, Art. 13; Labor Code of July 23, 2016, Art. 7
Does the law prohibit discrimination in recruitment based on marital status, parental status, and age?	Yes	Labor Code of July 23, 2016, Art. 7
Does the law allow employees to request flexible work?	Yes	Labor Code of July 23, 2016, Arts. 252- 257
<b>Pay</b>		
Does the law mandate equal remuneration for work of equal value?	Yes	Labor Code of July 23, 2016, Art. 140; Law on State Guarantees of Equal Rights for Men and Women and Equal Opportunities, Art. 13
Can a woman work at night in the same way as a man?	Yes	No restrictions could be located
Can a woman work in an industrial job in the same way as a man?	No	Labor Code of July 23, 2016, Art. 216; Resolution No. 179 of 4 April of 2017
Can a woman work in a job deemed dangerous in the same way as a man?	No	Labor Code of July 23, 2016, Art. 216
<b>Marriage</b>		
Can a woman be "head of household" or "head of family" in the same way as a man?	Yes	Family Code, Arts 1(4)
Is the law free of legal provisions that require a married woman to obey her husband?	Yes	Family Code, Arts. 1(4) and 32
Can a woman obtain a judgment of divorce in the same way as a man?	Yes	Family Code, Arts. 16-24
Does a woman have the same rights to remarry as a man?	Yes	Family Code, Arts. 16-23
<b>Parenthood</b>		

Is paid leave of at least 14 weeks available to mothers?	Yes	Labor Code of July 23, 2016, Arts. 223-224
Are leave benefits for mothers paid solely by the government?	Yes	Labor Code of July 23, 2016, Arts. 113 and 223
Is there paid leave available to fathers?	No	No applicable provisions could be located
Is dismissal of pregnant workers prohibited?	Yes	Labor Code of July 23, 2016, Art. 215
<b>Childcare</b>		
Does the law establish provision of childcare services in center-based settings?	Yes	Law on Preschool Education, Arts. 6, 7 and 23
Does the law establish any form of support to families for childcare services?	No	No applicable provisions could be located
Does the law establish any form of support to non-state childcare providers?	No	No applicable provisions could be located
Does the law establish quality standards for the provision of childcare services in center-based settings?	No	No applicable provisions could be located
<b>Entrepreneurship</b>		
Can a woman undertake entrepreneurial activities in the same way as a man?	Yes	Civil Code, Art. 22 (1); Law on State Registration of Legal Entities, Arts. 10-11; Family Code, Arts. 1(4) and 32
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
Does the law prescribe a gender quota on corporate boards?	No	No applicable provisions could be located
Does the law include gender-sensitive procurement provisions for public procurement processes?	No	No applicable provisions could be located
<b>Assets</b>		
Do men and women have equal administrative power and ownership rights to immovable property, including land?	Yes	Family Code, Art. 35; Civil Code, Art. 232; Land Code, Art. 2
Do sons and daughters have equal rights to inherit assets from their parents?	Yes	Civil Code, Arts. 1166 and 1169
Do male and female surviving spouses have equal rights to inherit assets?	Yes	Civil Code, Art. 1166
Does the law provide for the valuation of nonmonetary contributions?	Yes	Family Code, Art. 34(3)
<b>Pension</b>		
Are the ages at which men and women can retire with full pension benefits equal?	No	Law on Pensions Provisions, Art. 11
Are the ages at which men and women can retire with partial pension benefits equal?	No	Law on Pensions Provisions, Arts. 11 and 17
Is the mandatory retirement age for men and women equal?	Yes	No applicable provisions could be located
Are periods of absence due to childcare accounted for in pension benefits?	Yes	Law on Pensions Provisions, Art. 63(1)(c)

## WBL 2.0 supportive frameworks data

QUESTION	ANSWER	SOURCE
<b>Safety</b>		
Has the government developed comprehensive mechanisms to address violence against women?	No	Insufficient evidence located
Are there special procedures for cases of sexual harassment?	No	Insufficient evidence located
Is there a government entity responsible for the monitoring and implementation of national services, plans and programmes addressing violence against women?	No	Insufficient evidence located
Is there an annual budgetary allocation towards violence against women risk mitigation, prevention and response programs?	No	Insufficient evidence located
<b>Mobility</b>		

Are passport application processes the same for women and men?	Yes	Passport application procedures
Are the application processes for official identity documents the same for women and men?	Yes	ID application procedures
Is there a current policy or plan that explicitly considers the specific mobility needs of women in public transportation?	No	Insufficient evidence located
<b>Workplace</b>		
Has the government published guidelines on non-discrimination based on gender in recruitment?	No	Insufficient evidence located
Has the government published guidelines on flexible work arrangements?	No	Insufficient evidence located
Is there a specialized body that receives complaints about gender discrimination in employment?	Yes	Law on Equality and the Elimination of All Forms of Discrimination, Art. 13; Law on the Commissioner for Human Rights, Arts. 1, 14
<b>Pay</b>		
Are there pay transparency measures or enforcement mechanisms to address the gender pay gap?	No	Insufficient evidence located
Is sex-disaggregated data on employment in different industries or sectors published at least on an annual basis?	Yes	Agency for Statistics under the President of the Republic of Tajikistan, TAJSTAT: Women and men of the Republic Tajikistan
<b>Marriage</b>		
Is there a fast-track process or procedure for family law disputes?	Yes	Civil Procedure Code, Art. 124; Law on Civil Status Acts Registration, Art. 42
Are there specialized family courts?	No	Insufficient evidence located
Is legal aid available for family law disputes?	Yes	Legal Aid Center
<b>Parenthood</b>		
Is it possible to apply for maternity benefits through a single government application process?	Yes	Procedure and Conditions for the Payment of Benefits for Temporary Disability, Pregnancy and Childbirth and Family Benefits, No. 630, Arts. 49, 50, 55 and 56
Are incentives in place to encourage fathers to take paternity leave on the birth of a child?	No	Insufficient evidence located
Has sex-disaggregated data on unpaid care work been published?	No	Insufficient evidence located
<b>Childcare</b>		
Is there a publicly available registry or database of childcare providers?	No	Insufficient evidence located
Is there a clearly outlined application procedure to request financial support from the government for childcare services by parents?	No	Insufficient evidence located
Is there a clearly outlined application procedure to request financial support from the government for childcare services by non-state childcare providers?	No	Insufficient evidence located
Has the government published any reports on quality of childcare services within the last 3 years?	No	Insufficient evidence located
<b>Entrepreneurship</b>		
Is sex-disaggregated data on business activities, entrepreneurship, or women-owned businesses published on a regular basis?	Yes	Agency of Statistics
Are there government-led programs that provide support to female entrepreneurs such as access to finance or regarding agency and empowerment?	Yes	Grants for Support and Development of Women's Entrepreneurship for 2021-2025; Financial Literacy for Women Program
Is there a current national government plan or strategy with a focus on women's access to financial services?	Yes	National Strategy for Financial Inclusion (2022-2026)
<b>Assets</b>		
Are there mechanisms or incentives to encourage women to register immovable property?	Yes	Government Decree No. 167 of 30 April 2021 No. 167
Are there awareness measures in place to improve women's access to information about marital and inheritance rights?	No	Insufficient evidence located
Is anonymized sex-disaggregated data on property ownership published on a regular basis?	No	Insufficient evidence located

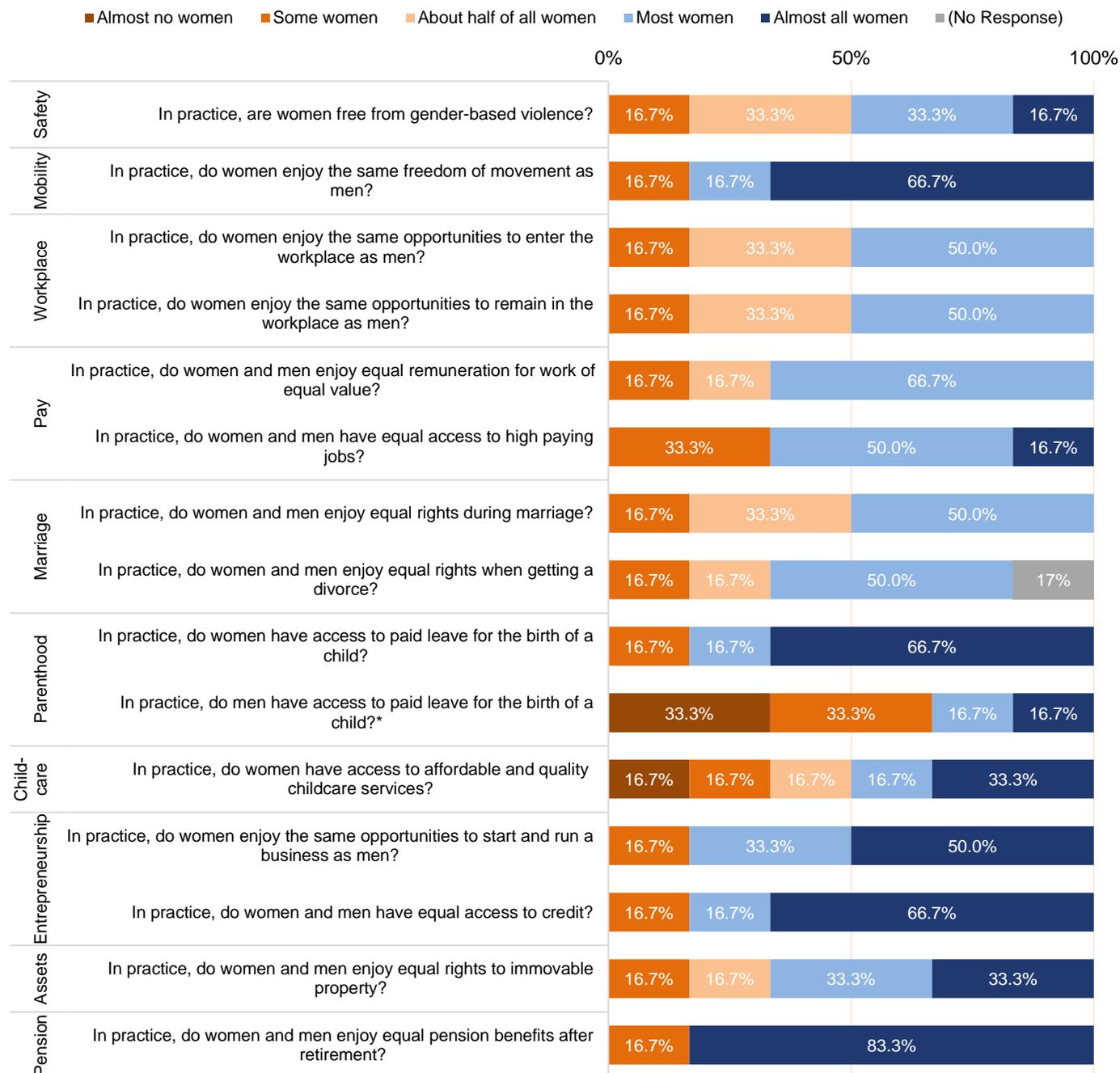


**Pension**

Are there incentives in place to increase women's retirement benefits?	Yes	Law on Pensions Provisions, Art. 63(1)(a)
Is there a procedure in place for pension beneficiaries to challenge the decisions of the competent authority regarding their benefits?	Yes	Law on Pension Provision, Arts. 90-91

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## WBL 2.0 distribution of expert opinion responses



\*Note: The response options for the second Parenthood question above are formatted as almost no men, some men, about half of all men, most men, almost all men.