

UZBEKISTAN

CEDAW A/56/38 (Part I) (2001)

147. The Committee considered the initial report of Uzbekistan (CEDAW/C/UZB/1) at its 500th, 501st and 507th meetings, on 25 and 30 January 2001 (see CEDAW/C/SR.500, 501 and 507).

(a) Introduction by the State party

148. In introducing the report, the representative of Uzbekistan highlighted the recent political, social and legal developments in Uzbekistan, noting that the advancement of women was among the highest priorities of the Government and the President. He indicated that the ratification of the Convention in 1995 without reservations, as well as the ratification of other international human rights instruments, were an expression of the country's commitment to the advancement of women and to achieving the goal of gender equality. He emphasized that the Government of Uzbekistan was also seriously considering signing and ratifying the Optional Protocol.

149. The representative said that the Constitution did not contain a reference to "discrimination against women". However, the principle of equality between men and women was the foundation of the Constitution of the Republic of Uzbekistan, adopted in 1992.

150. The representative said that the Government had identified six main directions of work for the advancement of women. The first direction was the creation of a gender-sensitive system of laws and regulations to ensure the conditions necessary for the participation of women in the political, social, economic and cultural life of the country. The Government had published a compilation survey that included about 70 laws and regulations directly addressing the situation of women.

151. The second task was the establishment of national mechanisms for the advancement of women. The Parliament Committee on Social and Employment Issues and the Special Commission on the Issues of Women and Family were entrusted with the responsibility of elaborating new legislation protecting the interests of women in various areas as well as conducting a gender assessment of the existing rules and regulations. Both the Committee and the Commission monitor the implementation of State policies and programmes aimed at improving the status of women in society and at implementation of the Convention. The representative informed the Committee that a new position of Vice-Prime Minister, Minister for the issues of social protection of the family, motherhood and childhood, had been established. The respective positions had been established at the local levels.

152. The representative informed the Committee of the establishment of a wide network of national human rights institutions, including the Office of the Ombudsman, the Institute for Monitoring Enforced Legislation and the National Human Rights Centre. To develop policies and programmes to improve the situation of women, in 1999-2000 governmental and non-governmental human rights institutions had conducted a review and analysis of existing laws, focusing on those articles that directly provided for the legal protection of women and ensured their interests in a wide variety of areas.

153. The representative informed the Committee of the considerable increase in the number of non-

governmental organizations dealing with women's issues. At the beginning of 2001 there were more than 100 such organizations. Cooperation between governmental bodies and non-governmental organizations in the development of policies and programmes for women was increasing, and Uzbekistan had benefited from cooperation with and technical assistance from international organizations, especially the United Nations Development Fund for Women and the United Nations Development Programme (UNDP). With the help of UNDP, the Committee of Uzbek Women had organized in 1997 the Gender in Development Bureau to develop and implement programmes aimed at the economic empowerment of women in the process of transition to a market economy. National women's non-governmental organizations had established close contacts with similar organizations in other countries. Together with an American organization they had established a network of information centres on women's issues.

154. The representative informed the Committee that, in accordance with the recommendations of the United Nations Decade on Human Rights Education, the Government had developed a national programme of action in the area of human rights, including the human rights of women. Within the framework of the programme of action, special courses on human rights had been introduced in schools and universities. In addition, following the recommendations of the Beijing Platform for Action, 36,000 seminars with 1.5 million women participating had been organized to address various issues of women's advancement and gender equality.

155. The representative emphasized women's educational achievements, stating that women constituted 37 per cent of students in higher education. Almost 50 per cent of economically active women were employed in the national economy. The majority of working women were employed in industry (48 per cent), agriculture (40 per cent), health and social security (70 per cent), education and science (47-60 per cent) and trade, public catering and social services (50-52 per cent). According to estimates, in 2000 about 70 per cent of women were employed in the private sector.

156. The changes currently taking place in the economy had negatively affected the situation of women in the labour market, especially increasing unemployment among them. To decrease the level of unemployment, the Government had been creating 280,000 to 300,000 new jobs annually, 40 per cent of which were given to women. The Government, together with business organizations, was also promoting the development of entrepreneurship among women. Out of 64,000 entrepreneurs 20,000 were women.

157. The representative informed the Committee that the Government and the President were paying serious attention to the health of the population, in particular that of women and children. Taking into account the high birth rate in the country, the Government had developed a series of State programmes to improve the reproductive health of women and to decrease maternal and child mortality.

158. In closing, the representative informed the Committee that his Government fully understood that much more needed to be done in order to achieve equality between women and men. He emphasized the Government's full commitment to continuing its work in that regard and to overcoming obstacles that the women of Uzbekistan still encountered.

(b) Concluding comments of the Committee

Introduction

159. The Committee expresses its appreciation to the Government of Uzbekistan for the submission of its initial report. It commends the Government on its informative oral presentation, in which it updated the developments in the country since the submission of the report in early 2000, as it provided new information and further clarified the current status of implementation of the Convention. The Committee notes with appreciation that the report contains statistical data disaggregated by sex.

160. The Committee commends the Government of Uzbekistan for sending the delegation which established a frank and constructive dialogue with the members of the Committee. The Committee welcomes the political will and the efforts of the Government of Uzbekistan to implement the recommendations of the Beijing Platform for Action and articles of the Convention.

161. The Committee welcomes the fact that Uzbekistan ratified the Convention without reservations and is considering signing its Optional Protocol.

Positive aspects

162. The Committee commends the Government for its political will to implement the Convention. It notes with appreciation the development of national mechanisms for monitoring the protection of human rights, including the human rights of women. It welcomes the efforts of the Government to establish a national machinery for the advancement of women and to conduct a review of legislation, especially those laws that directly address the status of women in various areas. The Committee welcomes the establishment of the Office of the Ombudsman within the Parliament.

163. The Committee commends the Government for its efforts to maintain a high level of education and for its employment policies towards women. The Committee notes with appreciation the measures of the Government to promote women entrepreneurs.

164. The Committee welcomes the partnership of governmental agencies with women's non-governmental organizations in the promotion of women's human rights and welcomes the emergence of women's non-governmental organizations.

Factors and difficulties affecting the implementation of the Convention

165. The Committee considers that the negative effects of the ongoing economic and political transformation as well as the ecological degradation in the country are major impediments to the full implementation of the Convention.

Principal areas of concern and recommendations

166. The Committee expresses its concern that although the Constitution and the domestic laws provide for the equality of all citizens, they do not contain a definition of discrimination against women modelled on article 1 of the Convention, which prohibits both direct and indirect discrimination. The Committee also expresses its concern about the status of the Convention, and

whether its provisions can be directly invoked before the courts.

167. The Committee calls upon the Government to include the definition of discrimination against women in article 1 of the Convention in its Constitution and national legislation. It also recommends that the Government draft a comprehensive law on equal opportunities for women and men, including provisions to allow temporary special measures in accordance with article 4, paragraph 1 of the Convention. It requests the Government to provide in its next report relevant information on this law, as well as about remedies available to women for redress for violations of their rights protected under the Constitution and the Convention.

168. The Committee expresses its concern that there is a very strong prevalence and significant resurgence of patriarchal attitudes and behaviour. Such traditional attitudes towards women are reflected in the lack of sharing of responsibility by men for household and family duties. The Committee also expresses concern about the lack of targeted educational programmes, revision of curricula and textbooks, and mass media campaigns to eliminate those stereotypes.

169. The Committee recommends that the Government take urgent measures to overcome traditional stereotypes regarding the role of women and men in the society. The Committee emphasizes that gender equality policy in compliance with the Convention will require the reconceptualization of the role of women in society from that of mother and wife, exclusively responsible for children and the family, to that of individual person and actor in society. It recommends increasing the number of women in decision-making bodies at all levels and in all areas. It also recommends that the Government strengthen its efforts to organize special training programmes for women and to conduct on a regular basis awareness-raising campaigns in this regard.

170. The Committee is concerned about the low representation of women in decision-making bodies, because of a number of factors, including traditional sex roles.

171. The Committee recommends that the Government utilize temporary special measures according to article 4, paragraph 1, of the Convention, in order to increase the number of women in decision-making levels in government, governmental bodies, public administration and State-owned enterprises.

172. The Committee notes with concern the fact that the Government has not made sufficient effort to ensure de jure equality between women and men and regards such efforts as particularly urgent in view of the increasing de facto inequality in the society.

173. The Committee recommends that the Government take a comprehensive and holistic approach to promoting equality between women and men in all areas, including the economic, social, political, cultural and family domains. It also recommends a shift from a welfare approach towards a human rights approach, whereby women are claimants of their rights.

174. The Committee expresses its concern that the existing national mechanism for the advancement of women does not have sufficient strength and visibility as well as funding to promote effectively the advancement of women and gender equality. The Committee also expresses its

concern about the lack of an overall, integrated policy of gender mainstreaming.

175. The Committee recommends that the Government restructure the existing national machinery in order to give it more visibility and strength, as well as review its mandate to carry out effectively the mainstreaming of a gender perspective into all policies and programmes and to promote the advancement of women. It also recommends that the Government assess the capacity of the national machinery and provide it with the necessary human and financial resources, and that it strengthen the existing governmental national mechanisms for women at all levels. It urges the Government to consider fostering more effective coordination among the existing mechanisms for women's issues and gender equality and to ensure that they have sufficient financial and human resources.

176. The Committee expresses its concern about the prevalence of all forms of violence against women, including domestic violence.

177. The Committee requests the Government to pass a law against violence, especially against domestic violence, including marital rape, as soon as possible and to ensure that violence against women and girls constitutes a crime punishable under criminal law and that women and girls victims of violence have immediate means of redress and protection. It recommends that the Government organize training on gender issues for all public officials, in particular law enforcement officials and the judiciary, as well as for members of khokims' offices at all levels and the local mahalas, to educate them about all forms of violence against women and girls in accordance with general recommendation 19 of the Committee on Violence against Women. The Committee also recommends that the Government organize awareness-raising campaigns to address all forms of violence against women and girls, including domestic violence.

178. The Committee recognizes the efforts made by the Government to address the issue of trafficking in women and girls, which has increased in the region following the opening of the borders. It notes with concern that there is still not enough information on the subject nor a comprehensive policy to address the problem.

179. The Committee urges the Government to include in its next report more information and data on the situation of trafficking in women and girls and on progress made in that area. The Committee considers that comprehensive measures should be developed and introduced in order to address the problem effectively, including the dimension of prevention, reintegration and prosecution of those responsible for trafficking.

180. The Committee, while noting with appreciation the high level of education among women, expresses its concern about the recent decline in the total number of women students.

181. The Committee urges the Government to take urgent measures to prevent the decline of women in higher education. The Committee recommends raising awareness and providing incentives to encourage young women to enter male-dominated fields of study.

182. The Committee recognizes the efforts of the Government to keep women in the labour market, but it notes with concern the existing occupational segregation in the labour market and the considerable wage differential between men and women, especially the gap between female- and

male-dominated sectors of employment. It is also seriously concerned about the high level of unemployment. It is also concerned at indirect discrimination in the recruitment, promotion and dismissal of women. The Committee notes the absence of statistical data on wages disaggregated by sex.

183. The Committee urges the Government to ensure equal opportunities for women and men in the labour market, including through the use of temporary special measures. It recommends that the Government conduct regular reviews of legislation with a view to reducing the barriers for women in the labour market. It also recommends that the Government design and implement special training and retraining programmes for different groups of unemployed women.

184. The Committee urges the Government to address the problem of occupational segregation and to start implementing the principle of equal pay for work of equal value. It requests the Government to collect data disaggregated by sex and economic sector and provide them in the next report.

185. The Committee, while noting a decline in the maternal mortality rate, expresses its concern with the status of women's health, especially their reproductive health, and the high birth rate. It also expresses its concern that abortion remains a primary means of birth control, and its concern about the increase in the use of tobacco by women. The Committee expresses its concern about the degree of environmental degradation in the country and its extremely negative impact on the health of the whole population, in particular women and children.

186. The Committee urges the Government to maintain free access to basic health care and to improve its family planning and reproductive health policy, including the availability and accessibility of modern contraceptive means. It encourages the Government to promote sex education during the compulsory school years. The Committee urges the Government to design and implement a sound environmental policy aimed at protecting the health of women and children.

187. The Committee expresses its concern about the high rates of suicide among women. It is also concerned at the cases of polygamy.

188. The Committee recommends that the Government establish structures aimed at addressing mental health problems faced by women. It also recommends undertaking measures to eliminate polygamy and early marriage.

189. The Committee expresses its concern about the situation of rural women, who comprise 60 per cent of all women in Uzbekistan, including their access to health-care services, education and income-generating activities.

190. The Committee recommends that the Government pay attention to the specific situation of rural women and develop special strategies, policies and programmes aimed at the economic empowerment of rural women, ensuring their access to capital and productive resources, as well as to health care services and educational and social opportunities. It calls for more qualitative and quantitative data on this subject to be presented in the next report.

191. The Committee urges the Government to approve the amendment to article 20, paragraph 1,

of the Convention concerning the meeting time of the Committee.

192. The Committee also urges the Government to ratify the Optional Protocol to the Convention.

193. The Committee requests the Government to respond in its next periodic report to the specific issues raised in the present concluding comments.

194. The Committee requests the wide dissemination in Uzbekistan of the present concluding comments in order to make the people of Uzbekistan, particularly government administrators and politicians, aware of the steps that have been taken to ensure the de jure and de facto equality of men and women and the future steps that are required in that regard.