



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women Thirty-sixth session 7-25 August 2006

Concluding comments of the Committee on the Elimination of Discrimination against Women: Uzbekistan

1. The Committee considered the combined second and third periodic report of Uzbekistan (CEDAW/C/UZB/2-3) at its 743rd and 744th meetings, on 10 August 2006 (see CEDAW/C/SR.743 and 744). The Committee's list of issues and questions is contained in CEDAW/C/UZB/Q/3, and Uzbekistan's responses are contained in CEDAW/C/UZB/Q/3/Add.1.

Introduction

2. The Committee expresses its appreciation to the State party for its combined second and third periodic report, while regretting that it did not fully comply with the Committee's guidelines for preparation of reports or refer to the Committee's general recommendations. The Committee commends the State party for the written replies to the list of issues and questions raised by the pre-session working group, and for the oral presentation and further clarifications in response to questions posed orally by the Committee.

3. The Committee expresses its appreciation to the State party for the constructive dialogue held between the delegation, headed by the Chairman of the National Human Rights Centre of the Republic of Uzbekistan and which included the senior expert of the Cabinet of Ministries of the Republic of Uzbekistan, and the members of the Committee. It notes that the delegation did not include any representatives of the Women's Committee of Uzbekistan which, although it has the status of a non-governmental organization, constitutes the national machinery for the advancement of women.

Positive aspects

4. The Committee welcomes the State party's initiative in establishing a National Plan of Action to implement the recommendations made by the Committee in the previous concluding comments.
5. The Committee commends the State party for reaching gender parity in primary, basic secondary and vocational education and meeting one of its national targets under goal 3 (promoting gender equality and empowering women) of the Millennium Development Goals.
6. The Committee commends the State party on the 2004 amendment to article 22 of the Election Law to institute a requirement that women make up at least 30 per cent of candidates nominated by political parties for election to Parliament; and the adoption of the new Family Code in 1998, which has strengthened a number of rights of women in the family.
7. The Committee welcomes the creation of monitoring mechanisms, including the Consultative-Analytical Council, intended, under the Ombudsman conjointly with the Women's Committee of Uzbekistan, to analyse and monitor the implementation of the Convention at the regional and local level and hold regular parliamentary hearings on the results of such monitoring.

Principal areas of concern and recommendations

8. **The Committee notes the State party's obligation for the systematic and continuing implementation of all the provisions of the Convention. At the same time, it is the Committee's view that the concerns and recommendations identified in the present concluding comments require the State party's priority attention between now and the submission of the next periodic report. Consequently, the Committee calls upon the State party to focus on these areas in its implementation activities and to report on actions taken and results achieved in its next periodic report. It calls upon the State party to submit the present concluding comments to all relevant ministries and to Parliament so as to ensure their full implementation.**
9. The Committee is concerned about the lack of progress in the law reform process. In particular, it expresses concern that several draft laws and amendments to laws initiated by the State party in response to the Committee's previous concluding comments still await parliamentary approval and that others have not yet been completed, thus allowing for the persistence of discriminatory provisions that deny women equal rights with men.
10. **The Committee urges the State party to place high priority on completing the necessary legislative reforms and to step up the process of adopting the law on equal rights and equal opportunities, the law on prevention of trafficking in and exploitation of persons, including the related programme of measures to prevent trafficking in and exploitation of persons, the amendments to relevant legislation to make gender-based violence a criminal offence, and the law on domestic violence, within a clear time frame. To this end, the Committee calls upon the State party to increase its efforts to sensitize the Parliament as well as**

public opinion regarding the importance of legal reform which, according to article 2 of the Convention, has to be undertaken without delay.

11. While noting the State party's assertion that all provisions of the Convention have been completely incorporated into national law, the Committee is concerned that the State party could not confirm that the draft law on equal rights and equal opportunities submitted to Parliament in 2004 contains a definition of discrimination in line with article 1 of the Convention, as recommended by the Committee in its previous concluding comments.

12. The Committee urges the State party to ensure that the law on equal rights and equal opportunities, or other appropriate national legislation, contains a definition of discrimination in line with article 1 of the Convention, encompassing both direct and indirect discrimination. It also encourages the State party to raise awareness with respect to the nature of indirect discrimination and the concept of substantive equality among Government officials, the judiciary and the public.

13. While welcoming the fact that the Convention has been translated into the Uzbek language and disseminated through a number of women's non-governmental organizations, the Committee is concerned that the provisions of the Convention and the general recommendations of the Committee are not widely known by judges, lawyers and prosecutors, as indicated by the absence of any court decisions that referred to the Convention.

14. The Committee recommends that the Convention and the Committee's general recommendations be made an integral part of legal education and training of judges, lawyers and prosecutors, and Government officials at all levels. It further recommends that its general recommendations be translated into the Uzbek language and widely disseminated.

15. While appreciating the State party's efforts at strengthening the Uzbek Women's Committee, a non-governmental organization, as the national machinery for the advancement of women through a Presidential Decree and a Cabinet Ordinance and through its membership in a standing commission which is to coordinate activities of State agencies and civic organizations, the Committee remains concerned that the institutional status of the Uzbek Women's Committee may not be sufficient to exert its influence within the Government structure.

16. The Committee reminds the State party of its responsibility to fully ensure Government accountability for gender equality and women's enjoyment of their human rights in the implementation of the Convention. In this regard, the Committee refers to the guidance provided in its general recommendation 6 and in the Beijing Platform for Action on national machinery for the advancement of women, in particular regarding the necessary conditions for the effective functioning of such machinery. The Committee recommends that the State party expeditiously strengthen the Women's Committee with necessary resources for coordination of the implementation of the Convention and of the gender-mainstreaming strategy in all governmental policy areas.

17. While noting the State party's emphasis on working in partnership with non-governmental organizations, the Committee is concerned that the State party's criteria with respect to foreign funding of Uzbek non-governmental organizations, and its practice of applying those criteria, have led to the closing of women's

non-governmental organizations whose work had been beneficial to Uzbek women since the country's independence.

18. The Committee requests the State party to review its funding criteria and practice relating to women's non-governmental organizations in order to ensure a plurality of constructive efforts towards the implementation of women's human rights through the civil society sector.

19. The Committee continues to be deeply concerned about the persistence of patriarchal attitudes and deep-rooted cultural stereotypes regarding the roles and responsibilities of women and men in the family and society in Uzbekistan, as expressed in the previous concluding comments. While noting the State party's stated goals to ensure women's equal opportunities in political and public life and in the labour market, these stereotypes, including the State party's explicit recognition of women's alleged primary responsibility in rearing children, providing care to family members and providing moral advice in the community, present a significant impediment to the implementation of the Convention and are a root cause of the disadvantaged position of women in a number of areas. In addition, the Committee is concerned that educational programmes developed under the National Plan of Action for the elimination of patriarchal attitudes within the family are targeted only at women and girls, and not at men and boys.

20. The Committee urges the State party to address directly stereotypical attitudes about the roles and responsibilities of women and men, including the hidden cultural patterns and norms that perpetuate direct and indirect discrimination against women and girls in all areas of their lives. Such measures should include awareness-raising and educational campaigns addressing women and girls, but in particular men and boys, and community, spiritual and religious leaders, with a view to eliminating stereotypes associated with traditional gender roles in the family and in society, in accordance with articles 2 (f) and 5 (a) of the Convention. The Committee recommends that the State party closely monitor its efforts to promote change concerning the stereotypical expectations of women's roles and the equal sharing of domestic and family responsibilities between women and men.

21. While noting the creation of 25 crisis centres supported by the State to assist women victims of domestic violence, the Committee continues to be concerned about the prevalence of violence against women, the absence of a specific law protecting women and the lack of prosecution and punishment of perpetrators of domestic violence. The Committee also expresses concern about the lack of information and statistics provided on the incidence of various forms of violence against women.

22. On the basis of the Convention and in accordance with its general recommendation 19, the Committee urges the State party to give high priority to putting in place comprehensive measures to address all forms of violence against women and girls. Such measures should include the speedy adoption of a framework act on all forms of violence against women, covering also domestic violence and marital rape, so as to ensure that violence against women constitutes a criminal offence, that women and girls who are victims of violence have access to immediate means of redress and protection and that perpetrators are prosecuted and punished. It urges the State party to conduct research on the prevalence, causes and consequences of all forms of violence

against women, including domestic violence, to serve as the basis for comprehensive and targeted intervention. The Committee repeats its recommendation that the State party implement educational and awareness-raising measures aimed at law enforcement officials, the judiciary, health-care providers, social workers, community leaders and the general public, so as to ensure that they understand that all forms of violence against women are unacceptable. It also recommends the establishment of a sufficient number of crisis centres, including shelters for victims of violence in both urban and rural areas. The Committee also requests the State party to provide detailed information about services provided to victims of violence, including services provided at the crisis centres and centres of social adaptation, which should include details about women's access to such services and their scope and effectiveness.

23. While appreciating that the State party's amendment to the election law in 2004 requiring political parties to nominate at least 30 per cent female candidates for Parliament has resulted in an increase in the representation of women in Parliament from 8 to 17.5 per cent, the Committee is concerned about the continuing underrepresentation of women in political and public life and in decision-making positions at all levels. The Committee also notes that the State party did not provide information about the number of women in the Foreign Service.

24. The Committee encourages the State party to take sustained measures, including additional temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25, and to establish concrete goals and timetables so as to accelerate the increase in the representation of women, in elected and appointed bodies in all areas of public life and at all levels, and to monitor their achievement. It recommends that the State party conduct training programmes on leadership skills for current and future women leaders. It further urges the State party to undertake awareness-raising about the importance of women's participation in decision-making processes at all levels of society. The Committee also invites the State party to provide information about the number and ranking of women in foreign service in its next periodic report.

25. While welcoming the legislative and policy measures currently under consideration to combat human trafficking, the Committee remains concerned about the persistence of trafficking and exploitation of women and girls. The Committee is further concerned that victims of trafficking are being treated as criminals and are being punished for engaging in prostitution.

26. The Committee urges the State party to fully implement article 6 of the Convention and to consider ratifying the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, which it signed in 2001. It also urges the State party to intensify its efforts to combat all forms of trafficking in women and girls, including by speedily enacting specific and comprehensive national legislation on the phenomenon that ensures that offenders are punished and victims adequately assisted. The Committee further calls upon the State party to increase its efforts at international, regional and bilateral cooperation with countries of origin, transit and destination to prevent trafficking through information exchange.

The Committee urges the State party to collect and analyse data from the police and international sources, prosecute and punish traffickers, and ensure the protection of the human rights of trafficked women and girls. It also recommends that the State party address the root cause of trafficking by increasing its efforts to improve the economic situation of women, thereby eliminating their vulnerability to exploitation and traffickers, and to take measures for the rehabilitation and social integration of women and girls who are victims of exploitation and trafficking. The Committee further calls on the State party to take all appropriate measures to suppress exploitation of prostitution of women, including discouraging the male demand for prostitution.

27. While noting the State party's efforts at creating new employment opportunities for women through the creation of new jobs, including "in-house" jobs with social security and entrepreneurships based on microcredits, as well as wage increases in female-dominated employment sectors such as education and health, the Committee is concerned at the persistence of a sex-segregated labour market with lower wages for women.

28. The Committee recommends that the State party provide, in its next report, information on women in the informal labour market and its efforts to modify the sex-segregation of the formal labour market, including efforts to eliminate wage differences. The Committee encourages the State party to study efforts in other countries with respect to the re-evaluation of jobs in which men or women predominate in order to discover whether hidden stereotypes influence the setting of wages.

29. The Committee is concerned that the report did not provide sufficient information about the situation of rural women in the areas covered by the Convention. It is particularly concerned at the low percentage of women's land ownership.

30. The Committee urges the State party to include in its next report comprehensive data on the situation of rural women in all areas covered by the Convention, including the causes for the low percentage of women, as compared to men, who own land, and on efforts by the State party to increase this percentage.

31. The Committee is concerned at the different marriage age of boys and girls and at the possibility of a dispensation of one year for girls only. The Committee is further concerned that the formulation of provisions in the Penal Code prohibiting polygamy in the form of cohabitation in the same home may be interpreted as being permissive of polygamy when not being practised in the same home.

32. The Committee recommends the speedy review and amendment of the relevant laws.

33. The Committee calls upon the State party to ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women and to accept, as soon as possible, the amendment to article 20, paragraph 1, of the Convention concerning the meeting time of the Committee.

34. The Committee requests the State party to ensure the wide participation of all ministries and public bodies in, and to continue to consult with

non-governmental organizations during, the preparation of its next report. It encourages the State party to involve Parliament in a discussion of the report before its submission to the Committee.

35. The Committee urges the State party to utilize fully, in its implementation of the obligations under the Convention, the Beijing Declaration and Platform for Action, which reinforce the provisions of the Convention, and requests the State party to include information thereon in its next periodic report.

36. The Committee also emphasizes that a full and effective implementation of the Convention is indispensable for achieving the Millennium Development Goals. It calls for the integration of a gender perspective and the explicit reflection of the provisions of the Convention in all efforts aimed at the achievement of the Millennium Development Goals and requests the State party to include information thereon in its next periodic report.

37. The Committee notes that States' adherence to the seven major international human rights instruments¹ enhances the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. Therefore, the Committee encourages the Government of Uzbekistan to consider ratifying the treaty to which it is not yet a party, namely, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

38. The Committee requests the wide dissemination in Uzbekistan of the present concluding comments in order to make the people of Uzbekistan, including Government officials, politicians, parliamentarians and women's and human rights organizations, aware of the steps that have been taken to ensure de jure and de facto equality of women, as well as the further steps that are required in that regard. The Committee requests the State party to continue to disseminate widely, in particular to women's and human rights organizations, the Convention, the Optional Protocol thereto, the Committee's general recommendations, the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century".

39. The Committee requests the State party to respond to the concerns expressed in the present concluding comments in its next periodic report under article 18 of the Convention, which is due in August 2008.

¹ The International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of the Child and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.