



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Pre-session working group

Thirty-seventh session

15 January-2 February 2007

List of issues and questions with regard to the consideration of the periodic reports

Kazakhstan

The pre-session working group examined the second periodic report of Kazakhstan (CEDAW/C/KAZ/2).

Constitution, laws and national machinery

1. The report states on page 16 that “according to article 4 of the Constitution of the Republic of Kazakhstan, all international agreements ratified by the Republic of Kazakhstan become a part of prevailing law and are subject to mandatory enforcement” and that “the concept of ‘discrimination’ given in article 1 of [the] Convention can be used in judicial practice”. In its concluding comments in 2001, the Committee requested information on remedies available to women for violation of their rights protected by the Convention.¹ Please provide information as to whether any court cases have been filed by women who faced discrimination and the outcomes of those cases, as well as what administrative or other remedies are available to women victims of discrimination.

2. Please provide information on the status of the draft law on equal rights and equal opportunities, and give details on its contents and enforcement mechanisms.

3. The report states on pages 9 and 19 that while gender analysis of legislation is being performed, it must be performed in a more systematic and integrated fashion. Please provide information on the steps taken to accomplish this.

4. Please provide further details on the implementation of the Concept of Gender Policy and the National Plan of Action for the Improvement of the Status of Women,

¹ *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 38 (A/56/38)*, part one, para. 88.

and the mechanisms for monitoring and evaluating their implementation and effectiveness.

5. Please provide details of any complaints related to violations of women's rights that have been received and resolved by the Human Rights Representative [Ombudsman].

6. In its concluding comments in 2001, the Committee recommended that the Government assess the resources of the national machinery for the advancement of women and provide it with the necessary human and financial resources to allow it to provide leadership in the implementation of policy for the advancement of women.² Please describe the measures taken to strengthen the national machinery.

7. The report states on page 9 that gender-issue coordinators have been appointed in all government bodies. Please provide information on their work, their levels of authority and their impact.

8. Please provide information on the implementation and outcomes of the programmes under the Programme of State Support of Nongovernmental Organizations of the Republic of Kazakhstan for 2003-2005 and the Concept for State Support of Nongovernmental Organizations of the Republic of Kazakhstan.

9. Please indicate the impact on women of the Programme for Reducing Poverty in the Republic of Kazakhstan in 2003-2005, referred to on page 14 of the report, and also provide information on the gender indicators included in the Strategic Plan of Development of Kazakhstan up to 2010, referred to on page 13.

Political participation and decision-making

10. The report states on page 20 that it is "still too early to speak of genuine equality of women in the structures of power, especially in its higher echelons. Women ... constitute only 11.1% of the total number of managers at the decision-making level". In its general recommendation 25, the Committee emphasizes that temporary special measures are part of a necessary strategy to accelerate the achievement of women's de facto equality and should be distinguished from permanent, general social policies to improve the situation of women and girls. Bearing this difference in mind, please provide information on whether the Government has considered introducing temporary special measures in accordance with article 4, paragraph 1, of the Convention to improve women's participation in political and public life, particularly at senior levels, including in the Parliament of Kazakhstan, local government and other bodies, the foreign service and State executive agencies.

11. Please provide information on women's participation in the judiciary, including on the number of women, compared with those of men, at different levels of the judiciary.

Violence against women

12. Please provide information on the status of the draft law on domestic violence.

13. In its 2001 concluding comments, the Committee recommended gender training for all public officials, in particular law enforcement officials, the judiciary

² Ibid., para. 94.

and health workers, to educate them about all forms of violence against women.³ The report mentions on page 26 some training sessions, for example under a United Nations Development Fund for Women project. Please provide information on whether steps have been taken to carry this out in a systematic and sustained way.

14. Please provide details about the recommendations that have been adopted to improve judicial practices in respect of violence against women, referred to on page 25 of the report, and their implementation.

Trafficking in women

15. The 2003 report of the Special Rapporteur on violence against women, its causes and consequences states that Kazakhstan is a source, transit and destination country for women and men trafficked for purposes of sexual exploitation and labour.⁴ Please provide data on the number of women and girls who are trafficked to, from and through Kazakhstan.

16. The report states on page 25 that “recommendations have been adopted to improve national law for protecting victims of trafficking inside and outside the country, assisting them in repatriation, and reintegrating them into society”. Please provide details on these recommendations and their implementation, and the support and assistance programmes that are available for victims of trafficking.

17. The 2003 report of the Special Rapporteur on violence against women, its causes and consequences states that “corruption as an aspect of trafficking is reportedly a problem at many levels”.⁴ What is being done to ensure the effectiveness of law enforcement and the prosecution and conviction of traffickers? Please provide information on the number of perpetrators who have been prosecuted and convicted in this respect.

Stereotypes and education

18. The report states on page 32 that “young girls choose the field of education for a career (86%), whereas young boys choose electrical engineering (94%). That indicator points to the existing stereotype of gender roles in Kazakhstan society”. What measures have been taken to encourage women to pursue non-traditional studies and careers?

19. Table 9, on page 35 of the report, indicates that in 2003/2004, professors in institutions of higher education were 18.6 per cent women and 81.4 per cent men. What measures have been taken to increase the number of women professors in such institutions?

Employment

20. As indicated in the report, the gap between women’s and men’s salaries continues to be significant. The report states on page 41 that “the reason is that women, as a rule, work in lower-paying positions, even in such traditionally women’s sectors as health care and education”. In its 2001 concluding comments, the Committee recommended wage increases in female-dominated sectors in order

³ Ibid., para. 96.

⁴ E/CN.4/2003/75/Add.1, para. 1054.

to decrease the wage differentials between those and male-dominated sectors.⁵ Please provide information on the steps taken to implement the Committee's recommendation.

21. The report states on page 40 that "unemployment, as before, has a female face". Please provide information on the status of the draft Labour Code, which envisages vocational training, retraining and job placement measures, as referred to on page 41, and also indicate the steps taken by the Government to review the structuring of the social benefits system and of protective legislation with a view to reducing the barriers against the participation of women in the labour market, as recommended by the Committee in its 2001 concluding comments.⁵

Health

22. The report states on page 50, "we need to intensify efforts to provide universal access to family planning services, as well as to raise awareness — particularly among school children in higher grades and higher-level students — of the harm done by abortion and its consequences". Please provide information on the steps taken to do this.

23. The report refers on page 6 to new laws "geared to protecting the health of women and children", including the laws on the medical and social rehabilitation of individuals addicted to drugs, on preventing and curbing smoking, on preventing iodine-deficiency disorders and on human reproductive rights and guarantees of their implementation. Please provide information on the implementation of these laws and their impact on women and girls.

24. The report states on page 53 that "the main obstacles facing rural inhabitants are remoteness of rural offices from the central rayon hospital, the small assortment of contraceptives in the pharmacy network and the low level of awareness and lack of attentiveness of the people with regard to their health". What steps have been taken by the Government to address these obstacles, in particular in respect of rural women?

Amendment to article 20, paragraph 1

25. Please indicate any progress made towards acceptance of the amendment to article 20, paragraph 1, of the Convention.

⁵ *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 38 (A/56/38)*, part one, para. 102.