



Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General
8 June 2006
English
Original: Russian

Committee on the Elimination of Discrimination against Women

Pre-session working group

Thirty-sixth session

7-25 August 2006

Responses to the list of issues and questions for consideration of the combined second and third periodic report

Uzbekistan

Constitution, legislation and national machinery

1. Although the Constitution recognizes in its preamble the priority of generally accepted international law, the status of the Convention in Uzbekistan is not clear. Is the Convention a part of the national legislation and directly applicable in Uzbekistan?

Response: Since international instruments do not indicate how they are to be implemented in national legislation and in the activities of State agencies, the technical and juridical aspects of the application of international law are determined by States themselves. Most of the generally accepted principles and norms of international law have been implemented in the national legislation of Uzbekistan. In order to meet international obligations in the field of human rights, domestic laws must be adopted.

Under the legislation of Uzbekistan, if an international agreement to which Uzbekistan is a party establishes regulations different from those provided for in Uzbek legislation, the regulations contained in the international agreement take precedence over domestic legislation. Under the Courts Act of 14 December 2000, the courts apply such regulations by applying provisions of national law, since they are guided solely by national law. The norms of international law are applied in judicial practice without direct reference in court decisions to a specific international legal instrument. Court decisions set out the content and meaning of the relevant provisions of national law which correspond in essence or bear a close resemblance to various norms of international law.

There are no references in the decisions of domestic courts to the Convention on the Elimination of All Forms of Discrimination against Women because its provisions have been completely incorporated into national law. For example, the provisions of the Convention concerning the prohibition of discrimination in labour relations are enshrined in article 6 of the Labour Code of Uzbekistan, which states that “the imposition of any restrictions or the granting of privileges in labour relations on grounds of sex, age, race, nationality, language, social origin, property or official status, attitude to religion, beliefs, membership of public associations or other circumstances unrelated to a worker’s professional qualities or the results of his or her work is not permitted and constitutes discrimination.

In Uzbekistan, judges apply the norms of international law in accordance with a procedure established by the national legal system and thereby apply the usual law enforcement procedure.

Source: National Centre for Human Rights of the Republic of Uzbekistan.

2. The report indicates that article 18 of the Constitution prohibits all forms of discrimination based on gender, ethnicity, religion and other characteristics, and article 46 guarantees women and men equal rights (p. 9). However, the report does not provide a clear picture of applicable legislation and remedies available to women for alleged violations of this guarantee. Please provide information as to whether any court cases have been filed by women who faced discrimination and what administrative or other remedies are available to women victims of discrimination.

Response: Implementation of the constitutional guarantee referred to in the question is ensured by the provisions of the relevant areas of Uzbek law, including the Labour Code. Pursuant to article 6, the imposition of any restrictions or the granting of privileges with regard to labour rights on the grounds of sex, and not on the basis of a worker’s professional qualities or the results of his or her work, is not permitted and constitutes discrimination.

Anyone who considers that he or she has been the subject of discrimination at work may request a court to remove the discrimination and compensate him or her for the material and moral harm suffered (art. 6).

It is illegal to refuse to hire pregnant women or women with children under the age of 3 years on the grounds of pregnancy or parenthood respectively (art. 78). In 2005, the civil courts considered 18 claims under this article of the Labour Code, 10 of which were upheld, with the violated labour rights of the women in question being restored.

Women who have children under the age of 3 and who work in institutions or organizations financed from the budget benefit from reduced working hours (art. 116). These women are also entitled to leave-related benefits (arts. 143-150).

In addition, further guarantees and benefits are provided for women who have family responsibilities (arts. 224-238 of the Labour Code).

The Family Code of the Republic of Uzbekistan establishes equal rights for women and men (art. 2).

Motherhood is protected by the State; the interests of mothers and children are protected through social measures for women’s occupational health and safety, the

creation of conditions which allow women to combine work and motherhood and the provision of legal protection and material support for motherhood and childhood (art. 4).

A husband is not entitled to file for dissolution of marriage without the wife's consent while she is pregnant or for one year after the birth of a child (art. 39).

The Tax Code provides benefits for a certain category of women (arts. 58-59 and 93). For example, maternity benefits, child support payments and breadwinner death benefit are not taxable. Pursuant to article 59 of the Tax Code, heroine mothers, women with 10 or more children and single mothers with two or more children under 16 receive partial income tax relief. In addition, heroine mothers and women with 10 or more children are exempt from property tax.

The State Pension Provision Act of 3 September 1993 establishes for a certain category of women the right to retirement with special benefits (arts. 9-14).

The Criminal Code of the Republic of Uzbekistan establishes liability for the following acts: forcing a woman to have an abortion (art. 115), rape (art. 118), gratification of unnatural sexual desires (art. 199), forcing a woman to have sexual intercourse (art. 121), polygamy, that is, cohabitation with two or more women in a single household (art. 126), forcing a woman to enter into marriage (art. 136), knowingly unlawful refusal to hire a woman or dismissal of a woman on the grounds of pregnancy or childcare (art. 148, para. 2). In 2005, under article 115 of the Criminal Code, the criminal courts of the Republic of Uzbekistan considered 11 cases, in which 13 people were prosecuted; under article 118, 229 cases were considered, with 290 people prosecuted; under article 119, there were 59 cases, with 76 people convicted; under article 121, there were seven cases, with nine people convicted; and, under article 126, there were 16 cases, with 16 people convicted.

In addition, the Criminal Code establishes liability for violation of the equal rights of citizens (art. 141). No cases involving individuals who have committed the crimes referred to in this article of the Criminal Code have been brought before the Uzbek courts.

(Annex 1: Information about women victims of crimes committed in 2005)

Source: Office of the Procurator-General of the Republic of Uzbekistan; Supreme Court of the Republic of Uzbekistan.

3. The report states that the Government has drafted an innovative law on guarantees of equal rights and opportunities for women and men and submitted it to Parliament (p. 9). Please provide information on the status of this legislation, its substantive provisions and enforcement mechanisms.

Response: A draft law on equal rights and equal opportunities for men and women has been prepared and submitted to Parliament with a view to strengthening measures to implement State policy on ensuring equal rights, freedoms and opportunities for men and women and to prevent gender-based discrimination.

The purpose of the draft law is to strengthen the understanding of gender equality as the equal legal status of women and men and equal opportunities to realize that status in political, socio-economic and cultural processes. The law is intended to strengthen provisions on the inadmissibility of discrimination and on taking that principle into account in all areas of activity of the State and society,

including the establishment of the management structures of State agencies at the central and local levels and decision-making on socio-economic and labour issues.

The draft law on equal rights and equal opportunities for men and women will establish State guarantees for the implementation of equal opportunities for individuals of both sexes regarding entry to and advancement in the civil service, the exercise of active and passive suffrage and involvement in the activities of political parties, NGOs and citizens' self-governing bodies, and will also strengthen the powers of the legislative, executive and judicial authorities to ensure equal rights and opportunities for men and women. The draft law is to include provisions on the lodging of complaints in cases of gender-based discrimination and on the obligation of State authorities to compile statistics on and monitor the provision of equal rights and opportunities for men and women.

Source: National Centre for Human Rights.

4. The report notes that the Institute for Monitoring Legislation in Force attached to the Oliy Majlis conducted a gender analysis of existing legislation in 1998 (p. 10). Please describe the findings of that analysis and recommendations and actions based on it.

Response: The gender analysis of existing legislation showed that since the country gained independence, much work has been done to strengthen the legal status of women and ensure equal rights for women and men in all areas of life and society, including in socio-economic affairs.

Currently, the legal basis for ensuring and protecting the rights, freedoms and legal interests of women consists of the Constitution of the Republic of Uzbekistan and more than 80 laws and other regulations.

The catalogue of rights contained in the Constitution of the Republic of Uzbekistan draws no distinctions on the basis of gender. This reflects the gender-balanced approach to strengthening human rights. Article 18 states that "all citizens of the Republic of Uzbekistan shall have equal rights and freedoms and shall be equal before the law, without discrimination on grounds of sex, race, nationality, language, religion, social origin, beliefs or individual or social status.

Privileges may be established only by law and should be in keeping with the principles of social justice".

Political, civil, economic, social and cultural rights, including the right to vote and to be elected, the right to participate in decision-making, the right to employment, the right to education and the right to health care, are regarded as fundamental rights for all citizens, both men and women. However, an additional guarantee of equality between men and women is enshrined in article 46 of the Constitution, which states that "women and men shall have equal rights".

Gender equality in the Constitution of the Republic of Uzbekistan is based on the following provisions:

- Preservation of human rights for men and women is based on the constitutional principle of the equality of all before the law without distinction as to gender;
- The Constitution rejects gender discrimination as a phenomenon which runs counter to the law, undermines the notions of justice and democracy and leads to the violation of women's rights;

- By proclaiming the equal rights of men and women, the Constitution establishes equal opportunities for the realization of those rights;
- The Constitution contains no provision endorsing gender inequality and clearly sets out the doctrine of the political, economic and cultural equality of men and women, in accordance with international standards in this area.

The gender analysis of the Constitution led to the conclusion that the social status of women and the role of motherhood and also the function and role of fatherhood should be enshrined in the Constitution.

The State should not overlook the status of men as fathers but rather enshrine it in the existing legislation, primarily the Constitution.

A provision should therefore be included in the Constitution to the effect that “the family, motherhood, fatherhood and childhood are protected by the State”.

Since the Constitution provides for equal rights (art. 46), those rights should be ensured by equal opportunities (i.e., by processes and procedures), which function as standards supporting equal rights. For this reason, a draft law on equal rights and opportunities for men and women, which will be strictly procedural in nature, is being prepared in Uzbekistan. The draft law will serve to underpin the constitutional provision on the equality of men and women.

The gender analysis showed that, regrettably, the existing criminal, criminal procedure and administrative legislation does not set out a specific penalty for domestic violence or preventive measures to protect women from it. There are no provisions establishing liability for humiliation or degradation of a woman or a child within the family. There are no legal guarantees of their rights within the family or of compensation for harm resulting from discrimination against them within the family.

Source: National Centre for Human Rights.

5. The report mentions a National Plan of Action aimed at making “a significant breakthrough in the advancement of women in 2005” (p. 9). Please provide details of the Plan, the targeted time frame for each action and the mechanism for monitoring and evaluating the implementation of the Plan.

Response: The National Plan of Action for fulfilling the recommendations of the Committee on the Elimination of Discrimination against Women is aimed at establishing specific measures to improve the situation with regard to women’s rights in Uzbekistan.

The National Plan of Action provides for important measures, such as:

1. The elaboration of a bill on equal opportunities for women;
2. The preparation of special educational programmes for women and girls on the elimination of patriarchal attitudes within the family;
3. The adoption of measures to increase the number of women in decision-making positions in State agencies;
4. Gender mainstreaming in politics and socio-economic affairs;
5. Protection of women against all forms of violence;

6. Expansion of the number of women receiving higher education;
7. Prevention of unemployment among women and of discrimination against them in employment;
8. Enhancement of women's reproductive health, etc.

Under the Plan, the agencies responsible for carrying out these measures are as follows: the Secretariat of the Department for the Social Protection of the Family, Mothers and Children of the Cabinet of Ministers of the Republic of Uzbekistan, relevant ministries and departments, the Women's Committee of Uzbekistan, local authorities, non-governmental organizations such as the *Oila* resource and learning centre, the *Makhallya* fund, the *Olima* association of women scientists, the *Soglom avlod uchun* and *Ekosan* funds and others. Regular monitoring and assessment of progress in implementing the Plan are the responsibility of the Women's Committee and of the Secretariat of the Department for the Social Protection of the Family, Mothers and Children of the Cabinet of Ministers.

The results of monitoring indicate that most of the measures provided for in the Plan have been carried out. Specifically, measures are being taken on an ongoing basis in Uzbekistan to enhance women's legal knowledge (the organization of international, national and regional conferences, seminars and round tables on women's rights, the publication of articles in magazines and newspapers, the broadcasting of special radio and television programmes and the publication of relevant literature); the number of women enrolled in the Presidential Academy for the Development of the State and Society, the Academy of Business and other educational institutions has increased; training, retraining and continuing education programmes for unemployed women have been launched; and women entrepreneurs are participating in international expositions and events, etc.

Source: National Centre for Human Rights.

6. The Committee, in its concluding comments in 2001, recommended that the State party restructure the national machinery for women in order to give it more visibility and strength and provide it with the necessary human and financial resources to effectively carry out its mandate. The report notes that an Ordinance on additional measures to support the activities of the Women's Committee of Uzbekistan was adopted in 2004, under which a standing committee was established to evaluate the protection of women's rights, elaborate measures for ensuring women's employment, ensure the implementation of acts protecting the rights and interests of women and implement measures aimed at enhancing the social and political participation of women (p. 8). Please describe in detail the findings of the evaluation undertaken by that standing committee, any recommendations made by it and measures taken by the State party as a result of the Women's Committee's evaluations and recommendations, and describe other steps taken to strengthen the national machinery.

An Ordinance of the Cabinet of Ministers of the Republic of Uzbekistan of 29 June 2004 approved the Programme of organizational and promotional measures to ensure implementation of the Decree of the President on additional measures to support the Women's Committee of Uzbekistan.

In order to coordinate the activities of State agencies and civic organizations for the implementation of the Programme and to enhance the effectiveness of the work being done with women, the Ordinance established a standing commission, the membership of which includes the Prime Minister of Uzbekistan, the deputy Prime Ministers, the Minister of Internal Affairs, the Chairman of the Supreme Court, deputy ministers, chairpersons of non-governmental organizations such as the *Makhallya* fund, the *Kamolot*, and the *Manaviyat va Marifat* centre, and the chairpersons of the women's committees of the Republic of Karakalpakstan, the regions and the city of Tashkent.

The commission's most important tasks are:

- To study systematically and evaluate the situation regarding the protection of women's rights and to enhance their role in the family, in society and in the building of the State;
- To elaborate and adopt measures for ensuring women's employment, provide all-round assistance in finding a job and develop various forms of female entrepreneurship;
- To ensure the implementation of regulatory acts protecting the rights and interests of women and safeguarding motherhood and childhood;
- To prepare and implement measures aimed at enhancing the social and political activities of women and at fostering the active participation of women's non-governmental and non-commercial organizations in the social and political life of the country and in the international women's movement.

Recently, the commission has provided assistance with the following:

1. The duties of the deputy chairpersons of the Council of Ministers of the Republic of Karakalpakstan and of the deputy *Khokims* of the regions, the city of Tashkent, towns and districts (the chairpersons of the women's committees) have been reviewed, taking into account the new requirements, and approved, with provision for an expansion of their powers to work effectively with women, including young women;

2. The situation regarding the protection of women's rights and the enhancement of their participation in social and political activities, in keeping with the democratic transformations occurring in the country, has been considered from the perspective of every district and town and critically assessed;

3. The central administration of the Women's Committee of Uzbekistan and the offices of the deputy chairpersons of the Council of Ministers of the Republic of Karakalpakstan and of the deputy *Khokims* of the regions, districts and towns (chairpersons of the women's committees) have been staffed from a pool of highly skilled professionals with extensive life experience and the ability to work with people;

4. The most competent and active women who have practical work experience in spiritual and moral education and are capable of exerting a positive influence on people, especially young people, to promote a healthy lifestyle and to preserve and develop the best national religious traditions and customs, have been hired as consultants to citizens' assemblies on religious, spiritual and moral education;

5. A programme of measures to strengthen the spiritual and moral education of women has been developed, with the following aims:

- To improve radically the provision of information to women in *makhallyas* and villages and the training provided to women in essential modern life skills;
- To provide assistance to women in mastering basic religious knowledge and national religious traditions, to cultivate in women a spirit of religious tolerance and respect for all other religions, and to prevent clashes between secular and religious views in society;
- To combat the spread in society of the inhuman and evil thinking behind religious extremism and fanaticism, which is aimed at undermining the peaceful existence and socio-political stability of the country.

In addition, under the Programme approved by the aforementioned Ordinance:

- A new Charter of the Women's Committee of Uzbekistan has been elaborated and adopted, taking into account the objectives and priorities determined by the Decree of the President;
- Arrangements have been put in place to monitor the coordination of the activities of women's non-governmental and non-commercial organizations and to carry out systemic analysis of their targets and their forms and methods of work. Measures for the provision of assistance and for the registration and re-registration of national and regional women's non-governmental and non-commercial organizations have been developed and implemented pursuant to the Act on non-governmental and non-commercial organizations; and a set of measures has been developed to involve women's NGOs in the implementation of the most important activities of the Women's Committee and its subsidiary bodies;
- Local employment programmes for women (for 2005-2007) have been developed and approved, providing for the creation of enough jobs in each region to meet women's demand for employment, primarily through the development of small business, the service sector and home-based work;
- A set of measures has been developed and is being implemented to make unemployed women more competitive in the labour market; these measures include a training programme for unemployed women called Basics of Entrepreneurship: Start Your Own Business;
- Monitoring of the implementation of women's employment rights and guarantees, as established by law, has been set up, and there are moves to prevent violations of the rights of women, including pregnant women and mothers of young children, at the time of agreement or termination of labour contracts, through the establishment in labour and social protection agencies of a 24-hour telephone hotline on labour guarantees and women's rights;
- In every district and town, a set of organizational, technical and awareness-raising measures has been considered and adopted to develop sports activities for families, women and children;
- Systemic monitoring of the implementation of women's fundamental rights and freedoms, including their participation in socio-political and

socio-economic affairs and other aspects of the life of society and the State is carried out on an ongoing basis;

- A series of round tables and training seminars has been held, with representatives of various political parties and NGOs participating, on the subjects of women and politics, and the place and role of women in the democratic renewal of society, dealing with matters of enhancing the role of women in socio-political reforms;
- Lectures are held on an ongoing basis in rural areas (in *makhallyas*, workplaces and educational institutions) to raise awareness, particularly among women, of the best national religious traditions and customs and to explain the fundamentals of true Islam;
- Educational television series have been broadcast under the titles “Women and Religion” and “Women of Today in Uzbekistan”, about the lives and work of prominent women in Uzbekistan. Highly qualified female professionals and public figures are invited to participate in these programmes.

Source: National Centre for Human Rights.

7. Please explain the tasks and functions of the National Centre for Human Rights of Uzbekistan, the Women’s Committee and the above-mentioned standing committee, and the relationship between them.

Response: Pursuant to the Regulations on the National Centre for Human Rights of Uzbekistan, the Centre’s main tasks and functions are as follows:

- To draw up a national plan of action on the rights and freedoms of citizens to prepare national reports on respect for and protection of human rights in Uzbekistan and submit them to international organizations; to elaborate national programmes for the protection of human rights and freedoms;
- To provide advisory services to State agencies and public associations on human rights; to coordinate the activities of State agencies in the areas of training, advocacy and the publication of teaching materials on the promotion and protection of human rights; to prepare recommendations to State agencies on enhancing their activities with regard to respect for and protection of human rights;
- To forge cooperation between Uzbekistan and international and national human rights organizations; to engage in international cooperation on training, the preparation of programmes and the joint organization of conferences, workshops and training courses on human rights; to cooperate on human rights matters with non-governmental, civic and human rights organizations and political parties; to cooperate with international and non-governmental organizations on matters of human rights protection and the implementation of joint projects; to elaborate and assess bilateral and multilateral inter-State agreements on human rights and to participate in the negotiation of such agreements;
- To establish an information database on the implementation and fostering of citizens’ rights and freedoms to develop a strategy for shaping the public’s legal awareness; and to produce literature and television and radio programmes on human rights, as well as the periodical *Democratization and Human Rights*

in Uzbekistan. The National Centre for Human Rights and the Centre for the Study of Public Opinion *Ijtimoi fkr* are the founders of the journal *Public Opinion. Human Rights (Ijtimoi fkr. Inson khukuklari)*, which is published in Uzbek, English and Russian and is issued quarterly to use the media to inform the public and the international community about the activities of the Government of Uzbekistan relating to respect for and protection and promotion of fundamental human rights and freedoms; to encourage and coordinate civic initiatives for the promotion and protection of human rights;

- To conduct and participate in sociological studies on the fostering of citizens' rights and freedoms and to organize scholarly research on respect for and protection of human rights at the national, regional and international levels.

The Women's Committee of Uzbekistan, which is a partner of the National Centre for Human Rights, was officially founded on 23 February 1991. It is registered with the Ministry of Justice as a "civic" or non-governmental organization. The following activities are priorities for the Women's Committee:

- The provision of social and professional support to women during the transitional period; promotion of the equal representation of women in decision-making processes at all levels of government; the expansion of women's participation in the democratic transformation of society and in economic reforms; enhancement of the status of women on the labour market and moves to increase the number of women in employment;
- The provision of equal access for women to education and training; the reinforcement of legal guarantees and mechanisms to protect women's rights;
- The protection of motherhood and childhood; family planning and the improvement of women's reproductive health; support for all governmental and non-governmental organizations implementing the national programme "For a Healthy Generation"; assistance to reduce the detrimental impact of negative environmental factors on women's and children's health.
- The expansion of contacts with international women's organizations, information exchange and the achievement of the goals of the Beijing Platform for Action;
- The organization of local branches of the Women's Committee at the regional, town and district levels and also at the level of local communities, in accordance with territorial and administrative divisions. (Every deputy *khokim* for women's affairs is also the head of the relevant local branch of the Women's Committee);
- Initiation of the establishment of professional non-governmental women's organizations, such as the Businesswomen's Association and the Association of Women Lawyers.

Since the National Centre for Human Rights of Uzbekistan and the Women's Committee were established, there has been continuous interaction between them on matters relating to the protection of women's rights. In the preparation of national reports on the fulfilment of international human rights obligations, such as those set out in the Convention on the Elimination of All Forms of Discrimination against Women, the National Centre for Human Rights uses data provided by the Women's Committee of Uzbekistan. In its work, the Women's Committee also uses

information provided by the National Centre for Human Rights. One example of this is the publication by the Women's Committee, with the support of the United Nations Development Programme (UNDP), of the brochure "Uzbekistan: achieving the Millennium Development Goals in the light of the National Platform for Action to Improve the Situation of Women".

In addition, joint events, workshops, conferences and training sessions are being held to increase awareness among citizens and civil service employees of the rights of women and children. For example, in June 2004, a conference on the social protection of orphans was held jointly with the National Children's Civic Foundation *Sen Yolgiz Emassan*, the National Centre for Human Rights, the Women's Committee of Uzbekistan and others. In September 2005, a training course, organized by the Centre for the Support of Civil Initiatives, the National Centre for Human Rights and the Commissioner for Human Rights of the Oliy Majlis (Ombudsman) and attended by foreign experts, was held on the subject of training national experts to implement, report on and monitor implementation of the Convention on the Elimination of All Forms of Discrimination against Women. Representatives of the Women's Committee of Uzbekistan were actively involved in the course.

Source: National Centre for Human Rights; Women's Committee of Uzbekistan.

8. The report indicates problems with the work and functioning of "women's committees", in that they are regarded as State organs rather than women's representatives; they do not have an adequate connection with the mass media; they are not accountable to society and local women's organizations; women in rural areas remain outside the purview of such committees; and there is "unused capacity" in their work (pp. 6-7). Please specify the composition, functioning and purpose of women's committees and the measures being taken to overcome the challenges listed in the report.

Response: In order to improve the effectiveness of the work of the Women's Committee and of national women's organizations with regard to the protection of women's rights, ensuring women's full participation in the socio-political, socio-economic and cultural life of the country, and the spiritual and intellectual growth of women and young people, a Decree of the President of the Republic of Uzbekistan was adopted on 25 May 2004 on additional measures to support the activities of the Women's Committee of Uzbekistan.

Currently, the most important tasks and areas of activity of the Women's Committee and its subsidiary bodies are as follows:

- To elaborate and implement practical measures for the realization of a country-wide policy to give social and legal support to women, protect motherhood and childhood, support the professional, physical, spiritual and intellectual growth of women, and increase their socio-political activities and their active participation in building the State;
- To elaborate and implement comprehensive measures for safeguarding the health of women, bringing up a healthy family and fostering the development of female and family sports and a healthy way of life;

- To organize effective activities in rural areas (within the family and in *makhallyas*, workplaces and educational institutions) for teaching and observing the country's religious traditions, promoting and protecting women's constitutional rights, and effectively resisting attempts by destructive forces to affect women's awareness and to involve them in extremist and terrorist activities;
- To prepare and implement programmes aimed at resolving issues pertaining to women's employment, ameliorating their conditions of work and study, particularly in rural areas, and involving them in entrepreneurial activities;
- To ensure effective coordination and cooperation with women's non-governmental and non-commercial organizations and to mobilize their efforts with a view to enhancing the role of women in the modernization and democratic revival of society and development of the State.

Moreover, in order to overcome problems associated with the activities of the Women's Committee, the Programme of organizational and promotional measures to ensure implementation of the Decree of the President on additional measures to support the activities of the Women's Committee of Uzbekistan was approved by the Ordinance of the Cabinet of Ministers of 29 June 2004. In particular, a new Statute of the Women's Committee has been elaborated and adopted, and posts of consultant for religious, spiritual and moral education have been established within the *kengashes* (councils) of local assemblies, which are to be filled by the most competent and active women who have practical experience and are capable of exerting a positive influence on people. Posts have also been created in the offices of the Women's Committee, along with posts of deputy chairperson of the Council of Ministers of the Republic of Karakalpakstan and deputy *khokims* of the regions, the city of Tashkent, towns and districts (chairpersons of the women's committees). In addition, the media, in conjunction with the Women's Committee, has organized broad publicity for the activities of women's organizations aimed at achieving the full participation of women in the socio-political, socio-economic and cultural life of the country.

Source: National Centre for Human Rights.

9. The report acknowledges that “data from a number of NGOs” was used in the development of the report (p. 9) and that there has been a “rapid development” of NGOs in Uzbekistan (p. 16). Please provide information regarding the relationship between the national women's machinery and women's NGOs and other civil society groups, including whether there are any formal avenues of NGO participation.

Response: Currently, 177 women's NGOs are registered in Uzbekistan. Their main areas of activity include human rights/women's rights, combating drug addiction, gender issues, prevention of HIV/AIDS infection and prevention of trafficking in human beings. Fourteen women's NGOs are active in the field of science and education, 49 deal with issues of improving legal literacy, 54 are involved in promoting social protection for the public, 44 deal with medical issues, support for the disabled and the development of sport, 11 help to support business and 4 deal with problems relating to the Aral Sea and ecology.

Operating under the Women's Committee, the Group for Coordination of the Activities of Women's NGOs is establishing a database of laws and regulations pertaining to NGOs.

Women's NGOs carry out excellent work regarding the upgrading of qualifications and vocational training and retraining for women. More than 44 per cent of those trained in NGOs have acquired a profession or upgraded their qualifications with the help of women's organizations. This demonstrates that women's NGOs in Uzbekistan have already become an important element of national civil society. Most importantly women are striving, through the establishment of such NGOs, to exploit their own potential and to ensure that their problems are voiced.

The existing NGOs generally take one of four organizational and legal forms: "civic organization", "association", "social foundation" or "union". In 2003, with a view to implementing the National Platform for Action, an association of women's NGOs known as *Mekhr* was set up, comprising 58 women's organizations. Four forums of women's organizations were held in 2004 and 2005, in which representatives of more than 500 heads of various ministries and departments, together with NGO leaders and media representatives, took part.

Many of the activities organized by the National Centre for Human Rights and the Ombudsman are conducted with the participation of members of women's NGOs. For example, in 2006, the Ombudsman, together with State agencies and NGOs, plans to monitor the observance of women's rights, as provided for under labour law, in light industry in regions of the Fergana Valley.

Source: Women's Committee of Uzbekistan; National Centre for Human Rights; Commissioner for Human Rights of the Oliy Majlis (Ombudsman).

10. The report states that the State Statistics Committee has established 176 gender indicators, reflecting the various aspects of gender development and gender equality, and that it has published a series of statistical studies on the status of women and men in Uzbekistan (pp. 11-12). However, the report includes only limited statistical information (annexes 1-5) and does not discuss statistical findings in relation to the status of women and the implementation of the Convention in Uzbekistan. Please provide information about the insights gained about the status of women through the use of the gender indicators and the statistical studies that have been conducted. Also explain how this information is being used to inform, monitor and evaluate policies and programmes related to women.

Response: In 2005, the State Statistics Committee, with the support of UNDP, published a statistical bulletin entitled *Gender Equality in Uzbekistan: Facts and Figures 2000-2004*, containing statistical data on the status of women and men. The bulletin presents gender-disaggregated statistical information for the period 2000-2004 for the country as a whole and by region. It contains more than 90 pages and includes statistics relating to seven areas: I — Population, II — Health care, III — Education, IV — Employment and the labour market, V — Public administration, VI — Social protection and VII — Criminality.

Analysis of the status of women in Uzbekistan, based on gender indicators and statistical findings, was used as the basis for the elaboration of State programmes such as the National Platform for Action, the Year of Charity and Medical Workers,

the National Plan of Action for fulfilling the recommendations of the Committee on the Elimination of Discrimination against Women, the National Plan of Action for fulfilling the recommendations of the Committee on the Rights of the Child, etc.

These documents set out a strategy and national policy priorities for women, providing for implementation of the principle of equal rights and freedoms and the creation of equal opportunities for women and men, in accordance with the Constitution of the Republic of Uzbekistan, the country's international obligations and the recommendations of the Fourth World Conference on Women: Action for Equality, Development and Peace.

Source: National Centre for Human Rights; State Statistics Committee.

11. The report indicates that the Commissioner for Human Rights (Ombudsman), who proposes “legislative initiatives” and whose powers were expanded in 2004, also works with non-governmental and international organizations to secure women’s rights and promote gender equality (p. 16). Please provide details of any laws on women’s rights and gender equality that have been adopted as a result of the Ombudsman’s efforts.

Response: The Ombudsman’s work to improve Uzbek human rights legislation and bring it into line with generally recognized principles and standards of international law is based on the study of information on the human rights situation in the regions and the analysis of citizens’ communications to the Ombudsman regarding violations of their rights and legal interests. The work is implemented through the application of the Ombudsman’s findings from the legal review of draft laws and proposed amendments and additions to them, and of proposals for the elimination of loopholes in the law and for the ratification of international treaties concerning human rights.

Two years ago, the Ombudsman carried out a review of an innovative draft law on equal rights and opportunities for men and women submitted by the National Centre for Human Rights and put forward proposals and additions to improve the draft law, as well as others already submitted for review that set out standards for ensuring the various categories of women’s rights.

In 2005, the Ombudsman’s office carried out a legal review of a number of draft laws prepared by parliamentary committees, the Government and certain departments on ensuring and protecting various categories of citizens’ rights and freedoms. The Ombudsman submitted proposals relating to draft laws on civic organizations, on microcredit and microcredit organizations, on external labour migration and on safeguards for the activities of non-governmental and non-commercial organizations, among others.

Another component of the Ombudsman’s monitoring of respect for citizens’ rights, in particular the rights of women, involves surveying various sectors of the population so as to examine the issue of gender equality and elaborating recommendations and proposals for ensuring gender equality.

Source: Commissioner for Human Rights of the Oliy Majlis (Ombudsman).

12. Please give details of complaints related to violations of women’s rights that have been received and resolved by the Ombudsman in the period since the submission of the initial report.

Response: Analysis of the complaints submitted by citizens to the Ombudsman indicates that most complainants (more than 60 per cent) are women. The grounds for most communications from women to the Ombudsman are violations of the rights of close relatives — sons, husbands, fathers, etc.

However, as the statistics for 2005 show, of the total number of communications from citizens that were followed up by the Ombudsman, 13 related to violations of various categories of the rights of women themselves.

The Ombudsman follows up communications from women outlining violations of their rights relating to the administration of justice. These communications express disagreement with civil court decisions which, in the complainants' opinion, violate their property rights, or describe cases where women with children have been evicted without being provided with alternative accommodation; others give examples where criminal proceedings have been conducted in an accusatory manner, with procedural irregularities or without thorough explanation of all the circumstances essential to the case, resulting in unlawful, unfounded or unjust decisions.

Another major category of complaints is connected with delayed enforcement of court decisions that have entered into legal force or failure by judicial officers to perform their official duties. Six such complaints lodged by women were upheld and were resolved in accordance with the applicable legislation.

Communications to the Ombudsman most frequently contain complaints of violations of women's rights by the law enforcement agencies, courts and organs of government. In their communications, women have reported cases of unwarranted criminal prosecution, unlawful methods of exerting influence and procedural irregularities during an initial inquiry or a pre-trial investigation, or delayed response by officials to their legal communications.

More than 60 per cent of communications received from women and followed up by the Ombudsman contained requests for assistance in ensuring housing rights, claims for maintenance in respect of minor children or applications for benefits or pensions, and were resolved positively.

Other communications to the Ombudsman from women in connection with the protection of their rights cited late payment of wages, problems relating to the registration and receipt of passports and other identity documents, and domestic conflict.

Given the expansion of the functions and powers of the regional representatives of the Ombudsman since 2004, issues of ensuring and protecting women's rights in the regions of Uzbekistan are one of the priority areas of these representatives' work and are monitored on a daily basis.

(Annex 2: Report on the activities of the Ombudsman in 2005 (original: English)).

Source: Commissioner for Human Rights of the Oliy Majlis (Ombudsman).

Participation of women in public life and decision-making

13. **The report states that “the policy of increasing the number of women at the decision-making level is being carried out from the top downwards at all levels of government” (p. 16). However, annex 3 to the report shows that all**

levels of State administration are dominated by men (for example, 90.1 per cent men in the Oliy Majlis, 83.3 per cent men in the Cabinet of Ministers). The report also indicates that the Government is considering an amendment to the country's election law that would lay down a 30 per cent quota for women nominated as candidates from political parties to government posts (p. 33). Please indicate the status of this amendment and also indicate other measures that are being taken to achieve women's full and equal participation and representation at all levels of government, taking into account article 4, paragraph 1, of the Convention, and the Committee's general recommendation 25, on temporary special measures, and general recommendation 23, on women in public life.

Response: Uzbekistan is one of a small number of States which has provided for the participation of women in decision-making by special presidential decree (1995, 2004). In 2004, Parliament made amendments to national law which were initiated by women's governmental and non-governmental organizations. The introduction of these amendments, aimed at promoting women's participation in political activity and decision-making, has significantly increased the number of women parliamentarians. Article 22, paragraph 4, of the Act on elections to the Oliy Majlis of the Republic of Uzbekistan of 29 August 2003 provides that women should make up no less than 30 per cent of the total number of candidates for Parliament nominated by the political parties. At the present time, there are 21 women deputies in the Legislative Chamber (18 per cent of the total) and 15 women members of the Senate of the Oliy Majlis (15 per cent of the total). In comparison with the previous elections, when about 8 per cent of parliamentarians were women, significant progress has been achieved, which is the result of active work by both State and non-governmental women's organizations to ensure the rights and interests of women.

At the beginning of 2005, the representation of women in the highest State authorities was 16 per cent and, in the legislative and representative authorities, 15.2 per cent. In the executive authorities, the representation of women was 3.4 per cent and, in judicial authorities, 22.7 per cent.

The Women's Committee of Uzbekistan is the primary body responsible for implementing Government policy for ensuring women's rights in the country. The chairperson of the Women's Committee is also a deputy prime minister. To ensure nationwide participation of women in decision-making, the leaders of the regional, town and district women's committees are simultaneously appointed deputy *khokims* and are responsible for advancing the interests of women and realizing their potential at the local level.

Women are also becoming involved in the activities of citizens' self-governing bodies. In 2004, new posts of consultant for religious, spiritual and moral education were established within the *Kengashes* (councils) of citizens' assemblies. Over 7,500 of the most competent and active women with practical work experience in spiritual and moral education were elected to these posts.

Efforts to involve women in the country's socio-political, socio-economic and cultural life have intensified. As part of the collaboration between the Women's Committee and national political parties, a "women's wing" has been established within each party and measures aimed at making women more politically active are being elaborated and implemented.

Source: Women's Committee of Uzbekistan; Committee for International and Interparliamentary Relations of the Legislative Chamber of the Oliy Majlis; Ministry of Justice of Uzbekistan.

Violence against women

14. What kinds of data are being collected on the incidence of all forms of violence against women, including domestic violence, abductions, rape and sexual violence, and what do they reveal in terms of trends?

Response: The Information Centre of the Ministry of Internal Affairs on criminal cases instituted and brought before the courts relating to manifestations of all forms of violence against women collects and analyses information on the indicia provided for by the following articles of the Criminal Code: article 115 (Forcing a woman to have an abortion), article 118 (Rape), article 119 (Gratification of unnatural sexual desires by force) and article 121 (Forcing a woman to have sexual intercourse).

In 2005, the Ministry of Internal Affairs, together with interested entities, took measures to combat crimes connected with manifestations of particular forms of violence against women. During that period, a total of 492 such crimes were detected, of which 458 were solved.

Source: Ministry of Internal Affairs.

15. The report states that “documents have been drafted to amend legislation in Uzbekistan concerning the prevention of violence against women” (p. 11). Please provide details about the amendments these documents propose, as well as their current status.

Response: Currently, issues relating to amendments and additions to the legislation in force are considered in terms of the elaboration of a specialized framework for the following purposes:

1. To bring national legislation into line with international standards for ensuring human rights within the family;
2. To recognize that gender-based violence against women and violence against children and other family members within the home and in the context of interpersonal relations constitutes domestic violence;
3. To recognize that domestic violence is a serious crime against the person and society, which should not be regarded as excusable or tolerable;
4. To guarantee domestic violence victims maximum protection under the law;
5. To create a broad range of flexible and appropriate emergency judicial remedies, under both criminal and civil law, so as to punish the perpetrators and prevent domestic violence, while also providing protection for the victims of domestic violence;
6. To ensure the equal application of criminal law, including the prevention of violations and the punishment of offenders who perpetrate acts of violence against women within the home and in the context of interpersonal relations;

7. To establish appropriate offices, programmes, services, procedures and functions, including, but not limited to, the provision of shelter, advice and vocational training programmes in order to assist victims of domestic violence;

8. To expand the capabilities of law enforcement agents with a view to providing assistance to victims of domestic violence, ensuring effective application of the law in domestic violence cases and preventing subsequent assaults;

9. To train judges, prosecutors, employees of internal affairs agencies and social workers to deal effectively with issues relating to childcare, financial support and guaranteeing the safety of domestic violence victims and victims with special needs, in particular those with disabilities;

10. To improve public awareness of the scale and causes of domestic violence and to involve the public in efforts to eradicate it;

11. To classify in the law acts constituting domestic violence, using the following wording: "All acts connected with physical, psychological or sexual violence against women, committed on the basis of gender or against children or other family members by one or more persons within the home or in the context of interpersonal relations, from common assault to aggravated battery, including abduction, threats, intimidation, coercion, harassment, verbal abuse, unlawful or forced entry into the home, arson, destruction of property, sexual violence, marital rape, violence connected with the obtaining of a dowry or bride price, violence connected with exploitation by means of prostitution, violence against dependants and domestic workers and incitement to commit these acts shall be classified as 'domestic violence'."

Source: Centre for the Study of Legal Problems (NGO).

16. The 2003 report of the Special Rapporteur on violence against women, its causes and consequences points out that domestic violence in Uzbekistan is a highly underreported crime; cases of domestic violence are usually handled by family members or elders within the community (*makhallya*) who focus on reconciliation, thereby undermining the individual rights of women in the family; cases of domestic violence are rarely prosecuted and often receive attention only when victims commit suicide (E/CN.4/2003/75/Add.1, para. 1232). The report is silent about whether a law on domestic violence has been passed or is being considered. Please provide details of the measures the Government is taking to address domestic violence.

Response: The following measures are being taken to prevent violence against women in Uzbekistan:

1. Administrative and criminal legislation is being enhanced to establish more severe penalties for violence against women, both in the home and in the workplace, and for involving them in prostitution or drug abuse;

2. With a view to boosting the status of women in the family and enhancing parenting practices, the Family Code, which entered into force on 1 September 1998, has been amended to strengthen the rights of women in the family, upon marriage or dissolution of marriage, and upon the division of property or the provision of compensation for material and moral damage in the event of divorce. To this end, it is generally recommended that a marriage contract be signed;

3. Under civil law, women have equal rights with men in terms of access to social and economic resources, inheritance, property, land, home ownership, credit and income;

4. State agencies, the media and civic organizations are responsible for ongoing work to provide information on measures to eliminate all forms of violence against women;

5. State agencies, the media and civic organizations are responsible for promoting efforts to reduce the incidence of violence against women;

6. State agencies, the media and civic organizations are responsible for strengthening the monitoring of compliance with the provisions of the Labour Code on the hiring of pregnant women;

7. State authorities in rural areas, in conjunction with civic organizations, are obliged to create opportunities for the development of telephone helpline networks and rehabilitation centres for women.

Experts in Uzbekistan are currently drafting a framework special act on domestic violence, which is to incorporate the concept of “domestic violence” and forms of violence, provide for the establishment of services for assistance to victims, specify the powers of the law enforcement agencies with regard to the prevention of domestic violence, and set out mechanisms for the legal protection of victims and procedures for providing them with medical, material and other assistance.

Source: National Centre for Human Rights.

Trafficking and exploitation of prostitution

17. The Committee, in its concluding comments in 2001, requested that the Government provide more information on the situation of trafficking of women and girls. Please provide this information, especially data on the number of women and girls who are trafficked to, from and through Uzbekistan.

Response: In 2005, there were 671 victims of illicit trafficking or the exploitation of prostitution: 475 victims of trafficking and 196 women victims of the exploitation of prostitution.

Source: Ministry of Internal Affairs.

18. The report indicates that a draft law and a draft comprehensive programme on trafficking were in the process of being prepared at the time of submission of the report (p. 14). Please indicate the current status of the law and the programme, giving details of their main provisions, especially provisions related to rehabilitation of victims of trafficking, training of police and the judiciary, and prosecution and punishment of traffickers.

Response: The Ministry of Internal Affairs, together with interested departments, has elaborated and submitted to the Cabinet of Ministers drafts of the following legal instruments:

- A draft law on the prevention of trafficking in and exploitation of persons;
- A draft law on a comprehensive programme of measures to prevent trafficking in and exploitation of persons;

- Regulations governing the Interdepartmental Commission for the Prevention of Trafficking in and Exploitation of Persons.

In addition, proposals have been put forward to amend article 135 of the Criminal Code (Recruitment of persons for exploitation): specifically, the existing provisions have been revised to stipulate tougher penalties for trafficking in persons. The new wording of the article is as follows:

“The deceitful recruitment of persons for sexual or other exploitation shall be punishable by a fine of 100 to 200 times the minimum wage or punitive deduction of earnings for up to three years or detention for up to six months.

The same offence committed:

- (a) Repeatedly or by a dangerous recidivist;
- (b) By prior conspiracy among a group of persons; or
- (c) In respect of a minor

shall be punishable by deprivation of liberty for up to five years.

The same offence committed with the object of removing such persons from the territory of the Republic of Uzbekistan shall be punishable by deprivation of liberty for a period of between five and eight years.”

Source: Ministry of Internal Affairs.

19. The 2003 report of the Special Rapporteur on violence against women, its causes and consequences notes that women who have been forced into prostitution run the risk of detention under article 190 of the Uzbek Administrative Code and that 20 to 30 per cent of girls in the Kokand Detention Centre are prostitutes (E/CN.4/2003/75/Add.1, para. 1232). Please provide information on whether clients and procurers of prostitutes are penalized under Uzbek law and what measures have been put in place to prevent the revictimization of women who have been forced into prostitution.

Response: Clients of prostitutes are not held criminally liable under Uzbek law; procurers of prostitutes are prosecuted for recruitment of persons for exploitation under article 135 of the Criminal Code, where there are grounds for such prosecution as provided for by law. In addition, article 131 of the Criminal Code establishes liability for the operation of brothels and for procurement.

Where women are prosecuted for engaging in prostitution under article 190 of the Code on Administrative Responsibility, they may not be placed in detention, since that article does not provide for an administrative penalty involving deprivation of liberty.

Source: Office of the Procurator-General.

Employment

20. In its concluding comments in 2001, the Committee expressed concern about the absence of statistical data on wages disaggregated by sex. Please provide data on economic participation and wages, disaggregated by sex and

economic sector, and information on women's participation in the informal sector.

Response: At the outset of the new century, women accounted for 44 per cent of economic participation in Uzbekistan, while men accounted for 56 per cent. The level of female economic activity on the whole is lower than among men. Traditional spheres of employment for women are education, health care, culture, art, science and scientific services.

Proportion of women employed in various sectors of the economy in 2004

<i>Industry</i>	<i>%</i>
Manufacturing	42.8
Agriculture and forestry	42.5
Construction	14.1
Transport and communications	18.2
Commerce, catering, logistics	43.4
Domestic, community and household services	36.0
Health care, sport and social security	75.3
Education, culture, science	73.0
Finance, credit, insurance and pensions	48.6
Government	28.8

(Millennium Development Goals report)

Salary levels

	<i>2000</i>	<i>2004</i>
Salary level — women (purchasing power parity in US dollars)	1 931	1 385
Salary level — men (purchasing power parity in US dollars)	2 958	2 099

(Millennium Development Goals report)

Gender breakdown of the working population of the Republic of Uzbekistan — 2004

	<i>Total</i>	<i>Men</i>	<i>Women</i>
Total employed persons	9 910.6	4 768.7	5 141.9
of which:			
Employed in the informal sector	5 112.9	2 665.6	2 447.3

(Figures from the State Statistics Committee)

In 2004, 4,356,300 women (44 per cent) were employed in various sectors of the economy. Around 4 million women are employed in the Republic of Uzbekistan; their employment rate is 15.8 per cent lower than that for men.

The Businesswomen's Association of Uzbekistan, *Tadbirkor ayol*, is running a series of training courses, including "How to launch one's own business", "How to devise a business plan", "The fundamentals of marketing", "Woman and society", "Small and medium-sized business" and "Women and their rights", aimed at developing female entrepreneurship. Over 6,500 women enrolled in the courses, as a result of which over 1,000 launched their own business. More than 300 women received training aimed at developing local handicrafts and cottage industries. As a result, up to 2004, more than 1,985 women had founded home-based businesses and 1,276 had established private firms.

At the outset of 2004, over 5,000 women, gathered together in 121 women's business associations, were employed in small and medium-sized businesses. The number of women entrepreneurs obtaining credit rose from 2 per cent in 1997 to 20 per cent in 2005.

Every year in Uzbekistan, around 400,000 new jobs become available, with 40 per cent being assigned to women.

Source: State Statistics Committee of the Republic of Uzbekistan; Millennium Development Goals report.

21. The report states that women comprise 43.9 per cent of the workforce (p. 28). It also indicates that women are well represented in secondary and higher education (p. 21). However, a very small percentage of women are in managerial positions (annex 5). Please indicate the measures that are being taken to bridge the gap between women's qualifications and their appointment to key management and policymaking positions.

Response: In the elections of 26 December 2004 and the second round of voting on 9 January 2005, all 120 deputies of the Legislative Chamber of the Oliy Majlis of the Republic of Uzbekistan were elected and registered. During the election campaign, the legally established procedure (article 22 of the Act on elections to the Oliy Majlis of the Republic of Uzbekistan), which provides that at least 30 per cent of the candidates fielded by the political parties must be women, worked as intended. The total of 159 women on the ballot for the Legislative Chamber demonstrated great purpose and professionalism, and in no way fell short of their opponents in terms of political maturity, erudition or intellect. As a result, almost 18 per cent of the deputies elected to the Legislative Chamber were women, two-and-a-half times more than in the 1999 elections to the Oliy Majlis.

Of the 120 deputies in the Legislative Chamber of the Oliy Majlis, 21 (17.5 per cent) are women.

Of the 100 members of the Senate, 15 (15 per cent) are women.

The representation of women in the executive authorities is 3.4 per cent, and in the judicial authorities is 22.7 per cent.

The Women's Committee of the Republic of Uzbekistan has the main responsibility for formulating and implementing Government policy for addressing women's issues in the country. The chairperson of the Women's Committee is also a

deputy prime minister. In order to preserve a balance in decision-making across the country by ensuring that women are involved, the leaders of regional women's committees are simultaneously appointed deputy *khokims*, and are responsible for advancing the interests and potential of women locally.

Source: National Centre for Human Rights.

Education

22. The report indicates that the choice of specialized study differs noticeably between men and women, influenced by standard stereotypes of thinking, namely, the division of labour into “feminine” and “masculine”, as well as traditions in the family and economic factors (p. 21). Please provide information, disaggregated by sex and field of study, regarding the student body in institutions of higher education.

Response: Although stereotyped divisions of labour into “masculine” and “feminine” exist everywhere in the world, the choice of profession rests with the individual. There are no discriminatory or restrictive standards in the education system of the Republic of Uzbekistan. A positive example is the 2005/2006 academic year, in which women account for 40.9 per cent of students in institutions of higher education, compared with 37.8 per cent in 2000/2001.

In the 2005/2006 academic year, 47.9 per cent of students in vocational colleges and academic high schools are girls. Women account for 40.7 per cent of students in institutions of higher education, 45.3 per cent of postgraduates and 37.1 per cent of doctoral students.

Students in institutions of higher education, by sex and field of study

(at the beginning of the academic year; per cent)

	2000/2001		2001/2002		2002/2003		2003/2004		2004/2005	
	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men
Total	37.8	62.2	38.7	61.3	38.9	61.1	38.8	61.2	40.7	59.3
of which:										
Manufacturing and construction	21.9	78.1	19.9	80.1	19.1	80.9	18.4	81.6	19.0	81.0
Transport and communications	16.3	83.7	16.2	83.8	15.4	84.6	16.1	83.9	13.1	86.9
Agriculture	14.1	85.9	14.7	85.3	12.6	87.4	14.8	85.2	14.8	85.2
Economics and law	23.1	76.9	23.3	76.7	23.6	76.4	22.7	77.3	21.8	78.2
Health care, physical education and sport	51.1	48.9	50.3	49.7	49.3	50.7	46.8	51.4	48.6	51.4
Education	46.5	53.5	48.1	51.9	49.2	50.8	48.8	51.2	53.2	46.8
Art and cinematography	41.2	58.8	40.0	60.0	43.5	56.5	42.3	57.7	43.5	56.5

Students in institutions of higher education, by sex and field of study

(at the beginning of the academic year; thousands)

	2000/2001		2001/2002		2002/2003		2003/2004		2004/2005	
	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men
Total	69.4	114.2	80.1	127.1	90.4	141.9	98.8	155.6	107.3	156.3
of which:										
Manufacturing and construction	6.0	21.4	6.0	24.1	6.6	28.0	7.1	31.4	7.5	31.9
Transport and communications	1.6	8.2	1.7	8.8	1.8	9.9	1.9	9.9	1.6	10.4
Agriculture	1.8	11.0	2.1	12.2	2.0	13.9	2.5	14.4	2.3	13.3
Economics and law	2.8	9.3	3.0	9.9	3.3	10.7	3.4	11.6	5.1	18.4
Health care, physical education and sport	9.2	8.8	9.9	9.8	10.3	10.6	10.8	11.4	11.1	11.7
Education	47.3	54.5	56.6	61.1	65.4	67.5	72.0	75.3	78.7	69.2
Art and cinematography	0.7	1.0	0.8	1.2	1.0	1.3	1.1	1.6	1.0	1.4

Source: Ministry of Higher Education and Specialized Secondary Education; *Gender Equality in Uzbekistan: Facts and Figures 2000-2004* statistical bulletin.

Health care

23. The report indicates that while the maternal mortality rate declined steadily from 1993 (51.0 per 100,000) to 1997 (20.7 per 100,000), it increased steadily from 1997 to 2001 (34.5 per 100,000) (annex 2). Please provide the reasons for this increase in maternal mortality and ways in which the problem is being addressed.

Response: It is true that official statistics showed a steady decline in maternal mortality until 1996. Figures fell from 65.4 in 1990 to 20.7 in 1996. The trend temporarily worsened between 1997 and 2001, with maternal mortality rising to 34.1 in 2001. The mortality rate began to fall in 2002, and reached 30.2 in 2004.

Maternal mortality rate (per 100,000 live births)

Region	2001	2002	2003	2004
Karakalpakstan	41.9	26.6	25.0	22.9
Andijan	20.5	17.3	23.2	25.7
Bukhara	54.4	37.3	18.0	23.4
Jizzakh	42.5	29.7	35.2	24.5
Kashkadarya	40.6	37.1	31.5	24.4
Navoi	91.5	51.5	71.9	58.8
Namangan	29.3	18.4	31.8	21.0
Samarkand	17.9	21.9	42.2	20.9
Surkhandarya	19.3	20.4	24.1	19.5
Syrdarya	35.7	26.4	14.5	21.0
Tashkent region	44.2	59.8	52.7	43.6

<i>Region</i>	<i>2001</i>	<i>2002</i>	<i>2003</i>	<i>2004</i>
Fergana	25.3	25.8	28.4	31.6
Khorezm	36.2	32.3	27.1	54.5
City of Tashkent	36.4	59.9	51.4	52.3
Total for Uzbekistan	41.9	26.6	25.0	22.9

(Millennium Development Goals report)

The Ministry of Health has recently taken steps to establish a new practice, centred on confidential clinical investigation (auditing), and using evidence-based medicine. Use of such investigative techniques will help the study of all factors contributing to maternal mortality, in the context of individual clinics, and the determination of factors reducing maternal mortality overall.

Causes of maternal mortality in Uzbekistan (per cent) in 2004

Pregnancy-related hypertension	37
Haemorrhage	26
Infection	22
Other causes	15

(Millennium Development Goals report)

The Government of Uzbekistan is taking concerted action to provide universal access to services to improve the quality of maternal protection. Examples of such efforts include the programme for the reform of the health care system and the proclamation of 2005 as the “year of health”. The programme for the reform of the health care system for 1999 to 2005 seeks to protect maternal health by strengthening emergency delivery assistance and restructuring reproductive health services at primary health-care facilities.

On 5 July 2002, the Cabinet of Ministers of the Republic of Uzbekistan adopted a programme of measures for implementation of the priorities for enhancing a culture of health in the family, improvement of women’s health and the production and upbringing of healthy children for 2002-2007. Expenditure on that programme is 95 billion sum, or \$122 million.

In April 2005, implementation of two projects began simultaneously: the World Bank’s “Health-2” project, and the Asian Development Bank’s woman and child health care improvement project. The projects aim to improve the operation of primary health care facilities in six regions, to provide them with the necessary equipment for maternity services and for training medical personnel, and to provide better care.

Uzbekistan is making targeted efforts focusing on prevention and on protecting women’s health, specifically during the childbearing years. Steps are being taken to prevent early marriage and marriage between close relatives; attention is being concentrated on preventing unwanted pregnancies; on increasing the interval

between births; on training and improving the qualifications of medical staff and on strengthening the logistical base of maternity and children's departments.

Source: Women's Committee of the Republic of Uzbekistan; Millennium Development Goals report.

24. The report notes that the National Programme to Combat HIV/AIDS 2002-2006 was adopted in 2002 (p. 26). Please indicate whether and how this programme integrates a gender perspective and also provide information on the number of women currently infected with HIV/AIDS and the availability of antiretroviral medication and psychosocial services for women with HIV/AIDS and their children.

Response: The number of women with HIV registered in Uzbekistan stood at 1,490 on 1 January 2006.

An increase in mother-to-child transmission has been observed in recent years. The first case of HIV found in a pregnant woman was in Namangan in 1999; by the end of 2005, the overall number of cases had reached 171, with 59 new cases reported in 2005.

In 2003, the Government of Uzbekistan adopted a strategic programme to combat the spread of the HIV/AIDS epidemic for 2003-2006, which took account of gender issues as follows:

1. Prophylaxis for perinatal transmission of HIV;
2. Full access to antiretroviral treatment to prevent mother-to-child transmission;
3. Availability of voluntary anonymous testing for pregnant women.

In order to implement the programme, counselling is arranged at women's clinics, family polyclinics, reproductive health centres, maternity hospitals, drop-in centres and anonymous clinics.

There are plans to develop a new HIV/AIDS strategic programme in 2006.

All women with HIV, including those who are pregnant, have free access to health care facilities and counselling. Counselling, free testing and treatment with antiretroviral drugs are provided to address mother-to-child transmission. Access to the following drugs is provided in Uzbekistan: Zidovudine, Nevirapine, Stavudine, Lamivudine, Abacavir, Efavirenz, Ritonavir and Didanosine.

In Uzbekistan, a number of non-governmental organizations provide humanitarian aid in the form of clothing and allocations of food. A non-governmental and non-commercial organization, *Ishonch va Hayot*, works on employment and vocational training and advocacy for people living with HIV and AIDS. Psychosocial assistance for mothers and children with HIV is supplied at prevention and treatment facilities of all levels, through the provision of psychological support and determination of degrees of disability.

Source: Ministry of Health of the Republic of Uzbekistan.

Marriage and family relations

25. The 2005 report of the Special Rapporteur on violence against women, its causes and consequences draws attention to the practice of kidnapping of brides in order to marry them without having to pay the high bride price. It further indicates that the police do little to prevent such abductions and forced marriages, that the men are rarely held accountable for their actions and that those convicted are sentenced only to the payment of a small fine (E/CN.4/2005/72/Add.1, para. 476). Uzbekistan's combined second and third periodic report indicates that the traditions and culture of Uzbekistan foster practices such as polygamy and forced and early marriages despite legislation prohibiting such practices (pp. 12-13). Please indicate the steps the Government has taken to enforce the minimum age for marriage and laws against polygamy and forced marriages, indicating the number of cases prosecuted and the number resulting in convictions.

Response: As stated in the combined second and third periodic report, a minimum age for marriage is enshrined in Uzbek law: 18 years of age for men and 17 for women. If there are valid reasons or exceptional circumstances, the *khokim* of the district, city or town where the marriage is being registered may, at the request of the persons wishing to marry, reduce the age of marriage by up to one year (article 15 of the Family Code). A marriage which is contracted in violation of the minimum age requirement, by force or between persons one or both of whom is already registered as married shall be deemed invalid by the courts (article 49 of the Family Code). In 2005, the civil courts of Uzbekistan considered 16 requests for annulment of marriage under this article, of which 10 were granted.

In addition, forced marriage is a criminal offence under Uzbek law: article 136 of the Criminal Code states that "forcing a woman to enter into marriage or to continue living together in marriage or abducting a woman to enter into marriage against her will, as well as preventing a woman from entering into marriage, shall be punishable by a fine of up to 25 times the minimum wage or punitive deduction of earnings for up to three years, or by detention for up to six months or deprivation of liberty for up to three years".

Polygamy is also a criminal offence and is punishable by deprivation of liberty for up to three years (article 126 of the Criminal Code).

It should be noted that, in recent years, significant positive changes have occurred in marriage and family relations. For example, the public's general attitude towards the minimum age for marriage has changed. According to data from research conducted by the *Oila* (Family) national practical science centre, in 2002 44.7 per cent of respondents considered 19 to 20 years to be the optimal age for young women to marry, while in 2004 this age was mentioned by 52.1 per cent of respondents. For men, the optimal age for marriage was considered to be 21 to 24 years of age. In 2002, 13.7 per cent of respondents believed that it was appropriate even for girls aged 16 to 18 to be given in marriage, but in 2004 the sample contained no one who held that view. This change is due primarily to a series of awareness-raising measures carried out by civic organizations in collaboration with State educational institutions.

Statistics indicate that one third of women marry at the age of 19 and 56 per cent marry between the ages of 20 and 24, which is appropriate from the point of view of fertility and preparedness for family life.

A comparison of data from 1991 and 2000 shows that the number of women marrying after the age of 20 has tripled. Surveys have shown that the average desired age of marriage for women is 21 and, for men, 24.3.

Given the negative consequences of early marriages, State and civic organizations in Uzbekistan have proposed to the Cabinet of Ministers and the Oliy Majlis that the marriage age enshrined in the Family Code for both women and men be reviewed. This proposal is now under consideration and there is reason to expect a positive outcome.

Uzbekistan is a multi-ethnic country where representatives of over 100 ethnic groups and nationalities reside, including Karakalpaks, Kazakhs, Kyrgyz, Tajiks and others. The customs of abducting brides and paying a dowry persist to some extent in the Republic of Karakalpakstan, where indigenous Karakalpaks live, and in the Tamdin and Kanimekh districts of Navoi region, and the payment of the “*kalin*” (a monetary form of dowry) persists in Khorezm region. However, these customs are now dying out, particularly among the younger generation. Even if they are practised, they assume a symbolic form. In all cases, however, the bride and groom officially register their marriage at a civil registry office, which did not always happen in the past.

Source: *Oila* (Family) practical science centre; National Centre for Human Rights.

26. Describing a poll in which 54.7 per cent of urban women and 61.4 per cent of rural women felt that women did not have equal rights due to men considering themselves the heads of the family, the report states that “among women themselves — and this is especially characteristic of rural women — mental inertia persists regarding the dominant role of men in the family and society” (p. 32). Please explain this statement and also provide detailed information on the measures being taken to change perceptions and stereotypes of men as dominant in the family and to change behaviour.

Response: Specific work is being done by the media to educate the public on gender issues. A “positive image of Uzbek women”, based on positive Eastern traditions, is being established in the media, but at the same time work is under way to promote an image of the contemporary woman who is well educated, aware of her rights and competent in using information technology, and plays an active role in the socio-economic and political life of society.

There has been an increase in the number of publications covering both achievements and problems related to discrimination against women, maternal and child health care, trafficking in human beings and women’s entrepreneurship.

The units of the women’s committees in rural areas and women’s non-governmental and civic organizations are actively engaged in raising public awareness of gender issues.

As part of the National Platform for Action, the national television and radio company has produced special programmes on the formation of a new image of the Uzbek woman. One priority of these television and radio programmes is to improve

women's legal literacy. Their main purpose is to promote on a broad scale the equal rights of women in the family and in public life, to survey the situation of women in rural areas on the basis of letters received and to create a favourable environment for women to assume the place they deserve in society and fully realize their potential and capabilities.

Thus, extensive work is being done to raise awareness of these issues in Uzbekistan.

Source: National Centre for Human Rights.

Rural women and ethnic minorities

27. The Committee, in its concluding comments in 2001, requested more quantitative and qualitative data on rural women. However, the report provides no information about issues relating to rural women. Please provide detailed information on the health, educational and economic situation of rural women, as well as their political participation in decision-making.

Response: It should be noted that women account for 44 per cent of economic participation, while men account for 56 per cent. Because women continue to play a smaller role in the economy than men, the Government of Uzbekistan, the Women's Committee, NGOs and political parties have directed their efforts towards enhancing the economic situation of rural women.

The Government has created legal guarantees to provide mothers and working women with social protection in the workplace and in their daily lives. Moreover, all of these guarantees are set forth in the Labour Code, decrees of the President and other laws and regulations.

In order to foster entrepreneurship among women, the Businesswomen's Association of Uzbekistan is holding a series of training courses and workshops on such issues as setting up one's own business, drawing up a business plan, the fundamentals of marketing, small and medium-sized business and legal aspects of running a business.

Women who are starting out as entrepreneurs are granted a 50 per cent discount on self-employment licences during their first year in business.

The Women's Committee of Uzbekistan, the National Chamber of Commerce and Industry and the Businesswomen's Association are working to improve rural women's knowledge of economic and legal matters and to get unemployed women involved in entrepreneurship.

Through a number of Government programmes, rural women have received microcredits and family credits. The *khokimiyats* of the regions are working to improve the economic situation of rural women. Some families are provided with cows, together with a week's worth of feed, and families living in apartment buildings receive items such as sewing machines for the launch of their own businesses.

Special programmes have been set up in Uzbekistan to support girls. A Decree of the President was enacted on 10 June 1999 in support of the proposal to institute the state Zulfiya Prize, a prize conferred upon gifted girls and young women who have demonstrated talent in the areas of literature, art, culture, education or science.

Particular emphasis is placed upon raising a healthy family, fostering and developing sports activities for women and families, and promoting a healthy lifestyle. Girls also receive support from non-governmental organizations, various foundations and charitable organizations.

To improve the health of rural women and to provide them with medical services, rural health posts have been set up.

28. Uzbekistan's initial report indicated the multi-ethnic population mix of the country (CEDAW/C/UZB/1, p. 3). However, the combined second and third periodic report does not show whether certain ethnic or religious groups are particularly challenged in various areas or whether particular measures have been taken to address such challenges. Please provide such information.

Response: It is indeed the case at present that women account for some 52 per cent of the population of Uzbekistan and that they represent a variety of ethnic groups. However, since the country became independent, there have been no ethnic conflicts in Uzbekistan.

Recent years have witnessed the broad expansion of national cultural centres for the ethnic groups living in Uzbekistan. The establishment and activities of cultural centres for the minority peoples of Uzbekistan help members of national minorities from various social backgrounds to become more active and boosts the revival and preservation of ethnic and cultural traditions and identity. The national cultural centres, whose activities are coordinated by the Uzbekistan Inter-Nations Centre, play a positive role in involving national and ethnic groups in the political, economic and cultural restructuring of life in Uzbekistan's multi-ethnic society.

The cultural centres maintain extensive links with their ethnic homelands through close contacts with various artistic associations, cultural and educational organizations, ministries of culture, higher education institutions, parliaments and the business community.

Source: Committee for Religious Affairs of the Cabinet of Ministers.

Optional Protocol

29. The report indicates that the Government is studying the question of acceding to the Optional Protocol to the Convention (p. 33). Please indicate the progress made towards the decision to accede to the Optional Protocol.

Response: Important work is being done in Uzbekistan to implement the Convention on the Elimination of All Forms of Discrimination against Women, which has led to tangible progress in ensuring real gender equality, eliminating discrimination against women and effectively protecting their rights.

Specifically, as part of the Plan of Action adopted in Uzbekistan for fulfilling the recommendations of the Committee on the Elimination of Discrimination against Women, work continues on improving national law and implementing it in the main provisions of the document.

Given the need for Uzbekistan to work progressively towards achieving its objectives in the implementation of the Convention, the question of Uzbekistan's accession to the Optional Protocol is under consideration.

Source: Ministry of Foreign Affairs.

Annex 1

Information about women victims of crimes committed in 2005

(sentences that have entered into legal force)

Article of the Criminal Code of the Republic of Uzbekistan*	Convictions		Women victims				of whom		Scene of crime		Victim's place of residence		Victim's ethnicity										Penalty to which the convicted person was sentenced					
	Cases	Individuals	Minors	Aged over 55	Disabled	Mentally ill	Town	Country	Town	Country	Uzbek	Tajik	Kyrgyz	Kazakh	Karakalpak	Turkmen	Korean	Tatar	Russian	Other	Deprivation of liberty	Detention	F punitive deduction of earnings	Suspended sentence	Fines	Other		
115	11	13	3	—	—	—	7	4	7	4	6	—	2	—	—	—	—	—	3	—	12	—	—	—	1	—	—	
118	229	290	64	7	2	3	134	95	150	96	147	4	2	11	11	—	4	16	46	5	248	—	15	22	—	—	5	
119	59	76	33	1	1	—	37	22	45	23	49	2	1	2	—	—	1	4	9	—	67	1	—	8	—	—	—	
121	7	9	8	—	—	—	5	2	5	3	7	—	—	—	—	—	—	1	—	—	3	—	2	2	—	—	2	
126	16	16	10	—	—	—	8	8	10	9	18	—	—	1	—	—	—	—	—	—	—	—	8	—	6	—	2	
148.2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Total	322	404	352	10	3	3	191	131	217	135	227	6	3	16	11	—	5	21	58	5	330	1	25	33	6	6	9	

* Article 115, "Forcing a woman to have an abortion"; article 118, "Rape"; article 119, "Gratification of unnatural sexual desires by force"; article 121, "Forcing a woman to have sexual intercourse"; article 126, "Polygamy"; article 148, "Violation of the right to employment", paragraph 2 (knowingly unlawful refusal to hire a woman or dismissal of a woman on the grounds of pregnancy or childcare).

Source: Supreme Court of the Republic of Uzbekistan.