



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**
Thirty-sixth session

Summary record of the 744th meeting (Chamber A)

Held at Headquarters, New York, on Thursday, 10 August 2006, at 3 p.m.

Chairperson: Ms. Schöpp-Schilling (Vice-Chairperson)

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In the absence of Ms. Manalo, Ms. Schöpp-Schilling, Vice-Chairperson, took the Chair.

The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Combined second and third periodic report of Uzbekistan (continued) (CEDAW/C/UZB/2-3; CEDAW/C/UZB/Q/3 and Add.1)

1. *At the invitation of the Chairperson, the members of the delegation of Uzbekistan took places at the Committee table.*

2. **The Chairperson** invited the members of the delegation to resume their responses to the Committee's questions and comments on articles 7 to 9.

Articles 7 to 9 (continued)

3. **Mr. Saidov** (Uzbekistan) said that, following the introduction of the rule that 30 per cent of parliamentary candidates must be women, the number of women deputies had nearly doubled. Uzbekistan's electoral system was not one of proportional representation, but rather a majority system whereby voters in each district elected one candidate. Women therefore stood for election on the same terms as men and were not relegated to a secondary spot on the ballot. Four of the 16 senators appointed by the President were women, of whom three were lawyers and one was a doctor.

4. The fund to support NGOs had been set up in 2005. Its activities had benefited from the experiences of existing funds, both foreign and national. Projects were selected through a competition; thus far, two such competitions had been held. He did not have specific information, but believed that the competitions were held once a year.

5. Regarding the decree requiring NGOs to re-register, he said that the re-registration requirement had in no way led to a decline in the number of NGOs, including women's organizations. Indeed, the number of NGOs had grown from about 2,300 in 2001 to about 3,000 at the current time; the number of women's NGOs had risen from 100 to 200 over the same period. Two types of organization were not registered: NGOs

that had not been in operation at the time of registration and, to a lesser extent, organizations that had formerly been financed by foreign donors and had ceased their activities owing to the restrictions on foreign funding.

6. Lastly, he did not have any statistics on the number of women diplomats, but would provide some in the next few days.

Articles 10 to 14

7. **Ms. Šimonović** said that, according to additional documentation provided by the delegation with respect to progress towards the Millennium Development Goals, girls in countries belonging to the Commonwealth of Independent States traditionally married in their late teens or early 20s and were therefore less likely than boys to enrol in higher education. What was the Government doing to enable girls to continue their education? Did it provide any special grants, for example?

8. The additional documentation was also very critical of the Government's data collection efforts. What was the Government doing to improve such efforts, with a view to making greater progress towards the Millennium Development Goals?

9. **Ms. Simms** welcomed the significant progress made towards gender parity in education. However, more needed to be done to educate the public about gender stereotypes. Apparently there was a view in Uzbekistan that women were responsible for upholding morality. However, men needed to be taught that they had a responsibility as well. She wished to know whether that had been taken into account.

10. **Ms. Zou** said that she did not understand why, if education was compulsory, some children were not in school. She had also noted that girls tended to specialize in subjects such as education and health, while boys opted for construction, industry and information technology. There also seemed to be a significant difference in pay levels for men and women. Since the choice of specialization was directly linked to future income prospects, she asked whether the Government was doing anything to encourage students to go into areas that were not necessarily considered traditional for their gender. Lastly, while she welcomed the establishment of centres to train women, she stressed the need to educate all of society,

including parents and teachers. Was the Government doing anything in that regard?

11. **Ms. Schöpp-Schilling**, speaking as a member of the Committee, said that she wished to know what the Government was doing to address the pay gap. One country reporting to the Committee during the current session had raised pay levels in female-dominated areas of work. Was Uzbekistan doing the same? The State party might also like to look at the very sophisticated work being done by the European Union in that regard.

12. She would also appreciate a clarification of the job categories mentioned. For example, what was meant by domestic, community and household services? Where did women employed in that sector work? What did they do? How much were they paid? How did the Government define the informal sector? And what did it mean exactly by home-based work?

13. Uzbekistan had a very large rural population. Rural areas tended to be more traditional, meaning that rural women were more likely to be discriminated against. In order to evaluate the situation, the Committee needed data on the economic, health, education and decision-making status of rural women. She asked the delegation to include such information in its next report. For example, did the terms of reference, mandate and composition of the National Commission for Sustainable Development include a gender dimension? Were health-care services readily accessible to rural women? Did women serve as leaders on collective farms? She would also appreciate more information on the situation of women in the cotton industry.

14. **Ms. Coker-Appiah** said that, according to the responses to the list of issues and questions, there were 1,490 women with HIV registered in Uzbekistan. However, without a figure for men, it was impossible to place that number in context. Moreover, the report stated that the main policy for combating the spread of HIV infection was based on the implementation of preventive measures among intravenous drug users. Did that imply that HIV was transmitted only through drug use? In view of the increase in mother-to-child transmission in recent years, she was curious to know whether any studies had been conducted on HIV transmission, in particular among heterosexuals. She was also concerned about the situation regarding polygamy. Women were most at risk of HIV, even

when they were married, and especially when they did not have a right to negotiate for safe sex. She welcomed the fact that contraceptive use had increased among women, but wished to know whether it had also increased among men. If it was simply the case that more women were using oral contraceptives, they would not be protected against HIV/AIDS.

15. **Ms. Tan** said that she understood that under the State programme for reform of the health system, old and inefficient rural district hospitals and midwifery units would be replaced with primary health-care units. It had been intended that there would be 2,800 of them by 2005, but the report said that only 1,626 units were currently in operation; would that shortfall be covered by the current year? Expressing grave concern about the health needs of rural women, who made up 60 per cent of the national female population, she asked how primary health-care units, staffed only by general practitioners, would be able to cope with emergency or complicated health situations, and whether the necessary equipment and training would be provided for the medical personnel at the units. She also asked for information on nutritional deficiencies among rural women and girls.

16. **Mr. Saidov** (Uzbekistan) said that his country had submitted information on progress towards the Millennium Development Goals because to some degree they were all related to the issue of gender equality. The first target under goal 3, to ensure gender equality between boys and girls in education, had been achieved. Uzbekistan was now aiming at the more challenging goal of enhancing the quality of education. Studies by United Nations specialized agencies had indicated that it would very probably achieve that goal also by 2015. Throughout the education system, Uzbekistan was undertaking profound reforms based on new information technology and new methods of teaching. Since education was seen as an investment in the future, educational reform was a high priority.

17. On the issue of access to higher education, only half the cost was covered from Government funds; the other half had to be paid by the students themselves. However, the Government was creating mechanisms such as bank loans for educational purposes, in an attempt to ease the difficulties faced by students. By comparison with the period covered by Uzbekistan's previous report, the disproportion between male and female students had decreased.

18. As for changes in vocational orientation, it was known that women traditionally tended to work in the areas of education and health. But that was their free choice: the Government could not force them to take a different direction. Even so, in the recent past more women had begun to move into areas such as information technology and the natural sciences. Further, as the Chairperson herself had pointed out, there had been cases where wages had increased considerably in the vocational areas preferred by women. In that connection, Uzbekistan had resolved many problems by studying and emulating successful experiences in other countries.

19. With respect to the role of men in bolstering the moral fibre of society, he acknowledged that prostitution and other social vices existed in Uzbekistan. However, that was not a one-sided issue: men and women were equally to blame. The Government was studying the reasons for such phenomena and trying to prevent them, without overlooking the role of men. In the education system, the issue of gender was increasingly addressed in all course material, particularly on human rights matters. Moreover, the Government was trying to ensure that sex education was provided to both males and females on an equal basis.

20. With regard to the issue of differences in pay, the statistics would require further study, but the Government fully intended to ensure that there was no discrepancy between men's and women's pay levels. The Government had declared a national programme to support health and health workers, the majority of whom were women. Thus, the increase in their incomes, like the increase in the incomes of women working in the educational field, could be singled out as one of the temporary special measures referred to in the Convention.

21. Home-based work should not be confused with unpaid domestic work. It was remunerated work, done by women in their own homes. A special decree had recently been promulgated to stimulate that type of work, and the women carrying it out enjoyed the same social services and benefits as women working outside the home.

22. With regard to the question about rural women, the Government was building educational institutions, providing health services and establishing health-care centres in rural areas. As to the question about farmers,

he clarified that there were now no collective farms in Uzbekistan. Agriculture was essentially in private hands.

23. With regard to HIV/AIDS, he admitted that, until recently, the Government had been unaware of the true extent of the problem. While HIV/AIDS had initially been only an urban problem, it now existed in rural areas also, as a result of labour migration and similar factors. Therefore, the Government was making major efforts, with assistance from the international community, to combat the spread of HIV/AIDS. Sex education was being given in schools, although more among girls than boys. He had no information on the different forms of HIV/AIDS transmission.

24. On the issue of health-care reform, the Government had recognized the ineffectiveness of the system that had existed in the past, and had therefore undertaken to establish health-care units throughout the country. Current indicators revealed clearly the rightness of that decision. Priority had been given to providing basic health care to women living in rural areas, with significant assistance being provided by the World Bank, the Asian Development Bank and other international partners.

25. **Ms. Norboeva** (Uzbekistan) said that of the 6.5 million people enrolled in the education system in Uzbekistan, 48.4 per cent were women. In 2000 and 2001 the figure had been 37.8 per cent. In order to encourage more female students to enrol in higher education, the President had established a State award to be given to talented girls from all regions of the Republic. The winners received allowances to help them enter higher education. The Government was also working to encourage girls to study information and communication technology, and the mass media were actively publicizing the advantages of other specialized fields for girls.

26. In the area of education on gender issues, there was a special programme in schools which advocated gender parity as a basis for morality. In addition, NGOs were performing advocacy work through round tables, discussions and meetings of various kinds. One of the main priorities of the health-care reform was to improve family health. Every year, all girls and women of childbearing age were given a thorough medical examination free of charge.

27. All schools included a course on family health, and higher educational establishments included more

advanced courses on the topic, including the use of contraceptives of various kinds. Contraceptives were provided free of charge, thanks in part to the assistance provided by UNFPA, the World Health Organization and other United Nations specialized agencies.

28. In 2000 Uzbekistan had adopted a strategic programme to prevent the spread of the HIV/AIDS infection. The programme was being implemented through 15 HIV/AIDS centres organized at the national level and in each region, providing prophylactic care to high-risk groups. The main means of transmission was through drug injection, although cases of mother-to-child transmission were on the rise. A new five-year strategic programme was currently being prepared. With regard to nutritional deficiencies, Uzbekistan had received a \$2.8 million grant from the World Bank to reduce anaemia among women.

29. Home-based work was an option preferred by many women, particularly since 42 per cent of the country's female population was of childbearing age. Additionally, credit facilities were provided to women who wished to set up small businesses. Currently, about 20 per cent of such credits were extended to women. The number of women who were farm leaders was increasing, and currently totalled about 10,000. The Government attached great importance to increasing the number of women involved in decision-making in rural areas. Some 12 per cent of community (*makhallya*) leaders were women.

30. **Mr. Saidov** (Uzbekistan) said that there had been a fivefold increase in the number of women farmers during the reporting period. The Women's Committee and the Centre for the Support of Civil Initiatives were encouraging more rural women to engage in productive activities through, inter alia, the award of financial subsidies.

31. **The Chairperson**, speaking as a member of the Committee, requested further clarification about the types of jobs that could be done at home. She also wished to know whether abortion was legal in Uzbekistan.

32. **Ms. Norboeva** (Uzbekistan) said that the most common form of work done at home was sewing. While companies provided home-based workers with the equipment needed to do the jobs in question, individual workers were responsible for ensuring that their homes were suitable workplaces. In Uzbekistan, both women and men were able to work from home

and credits were available to encourage women, in particular, to take advantage of that opportunity.

33. While abortion was legal in Uzbekistan, great emphasis was placed on preventing unwanted pregnancies. To that end, contraceptives were available free of charge and large-scale publicity campaigns had been launched to discourage women from having abortions. As a result of those efforts, as of 2006 the number of abortions had declined by two thirds.

Articles 15 and 16

34. **Ms. Bokpé-Gnacadjá** pointed out that the Criminal Code of Uzbekistan classified polygamy as an offence only if a husband was cohabiting with two or more women in a single household. That provision suggested, therefore, that men could marry two or more women as long as they lived with only one at a time, and she wondered whether that permissive stance explained the persistence of polygamy in Uzbek society. She would like to know whether the Government was considering tightening up the relevant legislation in order to outlaw the practice completely. She also asked how many of the 22 cases of polygamy discovered in the first half of 2006 had led to the prosecution of the perpetrators. Furthermore, since polygamy appeared to disrupt public order in the State party, she enquired whether the courts themselves could initiate proceedings against suspected polygamists.

35. According to the report, the minimum age for marriage in Uzbekistan was 18 years for men and 17 years for women but, if there were valid reasons or exceptional circumstances, the local authority (*khokim*) marrying the couple could, at the request of the persons wishing to marry, lower that minimum age by one year. She wished to know exactly what kinds of reasons or circumstances could lead to such a decision. What happened when religious marriages not covered by the relevant legislation were found to have been forced or to involve underage girls? She also enquired about the arrangements for the division of property in cases of divorce.

36. Lastly, it emerged from the report that, within individual communities (*makhallyas*), certain influential women were responsible for performing traditional rites and rituals. However, given that many religious traditions and customs were inherently discriminatory, she wondered whether, by continuing to

perform such rites, women themselves were contributing to the persistence of gender-based stereotypes. She would be grateful for a clearer idea of the kind of influence enjoyed by women in *makhallyas* in the sphere of marital and family relations.

37. **Ms. Gaspard** asked whether the new draft law raising the minimum age for marriage to 18 years for both sexes provided specifically for the lowering of that age in exceptional circumstances. She also pointed out that citizens needed to be aware of their rights in order to exercise them and, in that connection, enquired whether school curricula covered women's rights, in particular the issue of forced or arranged marriages.

38. She had been the mayor of a town in France and, in that capacity, had seen at first hand the difficulty of verifying that young Muslim women had not been coerced into marrying. She stressed the need to ensure that the authorities responsible for registering marriages were aware of the importance of obtaining the consent of both spouses. In addition, legal advice must be made available to potential victims of forced or arranged marriages through, for example, telephone help lines.

39. **Ms. Coker-Appiah** said that, while the dissemination of information about women's legal rights was a first step towards eliminating gender-based discrimination, further efforts were needed to combat the sexist stereotypes which, as illustrated by the results of the poll referred to in the report, still persisted in Uzbek society. Unfortunately, as long as such stereotypes existed, it would be difficult to enforce legislation on gender equality.

40. Since forced marriage was a criminal offence in the State party, she would like to know whether a marriage contracted against a woman's will had any legal status. How many cases of forced marriage had led to legal proceedings? Lastly, she asked whether women and men enjoyed equal inheritance rights.

41. **Ms. Tan** wished to know whether the seminars on preventing early marriage organized by the Women's Committee had brought about a decrease in that phenomenon. The State party should also indicate whether, in cases of divorce, women were entitled to maintenance or alimony payments.

42. According to the report, the custom of paying a bride price still existed in Uzbekistan; she would be

interested to know the usual amount paid. High bride prices had led to an increase in bride kidnapping, and she enquired as to the measures taken by the Government to prevent that practice.

43. **Mr. Saidov** (Uzbekistan) pointed out that 90 per cent of the population of Uzbekistan was Muslim and that, before the arrival of the Russians, polygamy had been legal under Islamic law. Polygamy was not unique to Muslim countries and there were various non-religious reasons for its persistence in certain areas of the world. The definition of polygamy set out in the Uzbek Criminal Code was not equivalent to the Roman law concept of concubinage, since the former involved the maintenance of two or more wives at the same time in the same household. In 2005, two cases of polygamy had been brought before the courts, and legal experts were currently conducting research into the phenomenon.

44. With regard to lowering the legal age of marriage in exceptional circumstances, that provision was intended to be used primarily in cases of pregnancy, with a view to ensuring that the child would not be born out of wedlock. However, the new draft law did not include such a provision. As indicated in the responses to the list of issues and questions, the Government's efforts to combat early marriage had borne fruit: one third of the women in Uzbekistan now married at the age of 19, and 56 per cent married between the ages of 20 and 24.

45. Religious marriages were not permitted in Uzbekistan and, if performed, had no legal force. However, in order to preserve cultural and religious traditions, many families chose to hold a religious wedding ceremony after the secular marriage had taken place.

46. As for women's rights in case of divorce, Uzbek law had established full gender equality. Divorce courts considered not only the dissolution of the marriage, but also the parallel issues of custody of the children and distribution of the couple's property, whether it had been acquired jointly or belonged to each spouse separately. Custody of children was almost always given to the mother; in all cases, the courts upheld the visiting rights of the second parent. Both the Family and the Civil Codes stated clearly that jointly acquired property was to be equally divided in proportion to the number of family members in each of the two post-divorce households, so that if the children

remained with the mother, she received proportionately more. Any non-resident parent who did not voluntarily support a child was obliged to pay maintenance.

47. In Uzbek society, the *makhallya* was seen as a stabilizing factor that supported the interests of women, albeit in a conservative rather than progressive way. The *makhallya* sought to prevent divorce, purely in the interests of the children, but would never actually prevent a woman from going through with a divorce in the courts. It was important to remember that Uzbek families were large, meaning that divorce affected the lives of more than just the couple concerned.

48. On the subject of inheritance, the Civil Code of Uzbekistan, unlike Islamic law, gave equal inheritance rights to men and women. On forced marriage, article 136 of the Criminal Code stipulated that forcing a woman to marry or to continue marital cohabitation, or kidnapping a bride to marry her against her will, or preventing a woman from marrying, were punishable by either a fine of 25 times the minimum wage or up to three years' imprisonment. He did not have any information on whether those measures were effective or whether studies had been done on the issue. Forced marriages, if discovered, were annulled as illegal and invalid. NGOs had played a major role in changing people's attitudes towards marriage, and the fact that people accepted changes such as the raising of the marriage age for girls was a sign that the seminars held in rural areas had been successful. It should be remembered that Uzbekistan was home to more than 100 separate ethnic groups and that paying for or kidnapping brides were traditional among some of them. Kidnapping a bride was a crime, but often it was treated as part of the marriage ceremony, with the full agreement of both parties, and regarded as merely a custom, along with the payment of a symbolic bride price.

49. **Ms. Norboeva** (Uzbekistan), on the subject of work done by women in the home, stated that most common kinds of the work done in the home were raising animals, growing and processing crops, light industry and producing foodstuffs. When the community learned that a religious marriage had taken place without a civil ceremony, mediators from the *makhallya* would intervene. They acted as consultants, whose authority was moral rather than religious, and they worked individually with the families concerned.

50. **Ms. Morvai** thanked the delegation for the explanation of the role of the *makhallya* consultants, but wondered what percentage of them were women and what their attitude to sex and moral issues was likely to be. She enquired what gave them their high moral status and the confidence of society.

51. **Ms. Norboeva** (Uzbekistan) stated that their number was approximately 10,000 and that almost all of them were women who had been chosen by the community because of their life experience, level of education and the respect with which they were regarded. They received special training, with seminars in each region on such matters as gender equality and other relevant issues, and every newcomer to their ranks had to go through such training before taking up her work.

52. **Ms. Simms** asked how polygamy was defined, since the law was not entirely clear on the subject of how many wives could be involved.

53. **Mr. Saidov** (Uzbekistan) explained that in the Criminal Code, polygamy was defined as "two wives", and while in principle there could be more, in practice two was the maximum. He expressed his gratitude for the Committee's constructive interest and gave assurances that its conclusions would be incorporated in a national plan of action developed in consultation with the Office of the United Nations High Commissioner for Human Rights. The Committee would be consulted when Uzbekistan drafted new laws, and its general recommendations would be translated into Uzbek and would serve as a frame of reference for the activities of the National Centre for Human Rights.

The meeting rose at 5 p.m.