



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

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**Committee on the Elimination of Discrimination
against Women
Seventy-fourth session**

Summary record of the 1725th meeting

Held at the Palais des Nations, Geneva, on Thursday, 24 October 2019, at 3 p.m.

Chair: Ms. Gbedemah

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

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

Fifth periodic report of Kazakhstan (continued) (CEDAW/C/KAZ/5; CEDAW/C/KAZ/Q/5 and CEDAW/C/KAZ/Q/5/Add.1)

1. *At the invitation of the Chair, the delegation of Kazakhstan took places at the Committee table.*

Articles 7 to 9 (continued)

2. **Ms. Abdykhalikova** (Kazakhstan) said that the new gender and family policy framework sought to increase women's participation in political and public life to 30 per cent, including in the private sector and local government. Currently, 17 per cent of vice-ministers, one minister, five ambassadors and one permanent representative were women. While their representation in the upper house of parliament currently stood at 13 per cent, two parliamentary parties had now met the strategic framework's target.

3. **Ms. Tursynbekova** (Kazakhstan) said that children born in Kazakhstan were registered within three days of their date of birth with the civil registry office and registration was free of charge. If parents had difficulty completing formalities online, there were community service centres available to help them. In rural areas, they could apply directly to the local authorities. There were rare cases in which parents did not manage to register the birth of their children within the required time frame, including stateless persons. In such cases, they could register their children's births through the court. Parliament was currently considering draft legislation on the documentation of children who had not been duly registered at birth. In collaboration with the regional office of the Office of the United Nations High Commissioner for Refugees, the Government had also drafted proposals for amendments to the Marriage and Family Code that covered in particular the documentation of children of stateless parents.

4. **Ms. Aitzhanova** (Kazakhstan) said that Kazakhstan had made a commitment to registering all children born to undocumented persons and the relevant bill was currently before Parliament.

5. **Mr. Zhakupov** (Kazakhstan) said that, in 2019, the Government had identified approximately 2,000 women as being undocumented migrants. Of the nearly 7,500 stateless persons registered in Kazakhstan, almost 3,000 were women and girls. To date, some 1,600 stateless women had acquired citizenship. In 2019, more than 1,400 non-national women had obtained citizenship through an accelerated procedure for non-nationals marrying Kazakh men.

6. A question had been raised as to whether persons convicted of serious crimes such as terrorist acts could be stripped of their citizenship. The law did in fact provide for such a penalty. Pursuant to a court decision, persons convicted for such crimes were issued with an official document certifying their statelessness. However, upon serving their sentence, those persons enjoyed the same rights as citizens, bar the possibility of voting or standing for public office, working as public servants or serving in the military.

Articles 10 to 14

7. **Ms. Song** said that she would like to know how many children – and, specifically girls – were not enrolled in school. She wondered what measures the Government had implemented to ensure that all girls received an education, including in rural areas, where the issue of child marriage could apparently prevent girls from going to school and whether adolescent mothers could return to school after giving birth. She would be interested to know whether the curriculum content on family and moral values included sections on gender equality and on women in public life who could serve as role models for adolescent girls. Had all teachers received training on gender equality? She also wondered what recent progress the Government had made to include comprehensive sex education on the curriculum, including a section on protecting sexual and reproductive health and rights.

8. **Ms. Assylova** (Kazakhstan) said that the curriculum included a set number of hours on subjects such as personal development and gender equality. Education was free and compulsory and school enrolment rates were above 99 per cent. Every effort was made to ensure that all children completed their studies. The Government was currently drafting a law on distance learning for the 1 per cent of children who did not attend school because of teen marriage, illness or pregnancy, for example. All educational resources that were provided in schools were available on the website of the Ministry of Education and Science.
9. **Ms. Aitzhanova** (Kazakhstan) said that, in 2018, 99.7 per cent of girls had been enrolled in primary education, compared with 98.1 per cent of boys.
10. **Ms. Abdykhalikova** (Kazakhstan) said that, in an effort to promote gender equality, school textbooks contained, for example, illustrations of female politicians and historical figures and of girls and boys performing the same tasks.
11. **Ms. Assylova** (Kazakhstan) said that adolescent mothers could return to school after giving birth and could obtain certificates on completing their education.
12. **Ms. Ameline** said that she would like to know whether the State party's legal definition of discrimination included direct, indirect and multiple forms of discrimination and gave women a right of recourse against all forms of discrimination. She would also like to know whether the creation of a labour inspection body was a priority for the Government; what specific recommendations had been issued following a 2016 study on harassment in the workplace and what role the ethics ombudsmen played. She wondered whether the pilot project conducted with urban transport companies to open up more professions to women could be extended to other companies, whether the Government planned to set targets for the private sector in order to close the significant gender pay gap and whether policies to strike a better balance between work and family life, such as telecommuting and part-time work, had been designed to be shared equally between men and women. She would also like to know whether the Government's initiatives to empower women included vulnerable women, such as those with disabilities and migrants and, in an effort to lift women out of lower paid jobs, whether the Government would provide training for young women in fields such as business and management.
13. **Mr. Zhazykbayev** (Kazakhstan) said that, in 2018, 88 per cent of respondents to an extensive government-funded survey had said that they had not received undesired attention in the workplace. In other surveys conducted twice-yearly at all State levels, so far no State employees had reported incidents of sexual harassment. Similarly, the ethics ombudsmen, who were responsible for ensuring State employees' rights to paid leave and flexible working times, for example, had not received any complaints of sexual harassment either. Of the committees and councils linked to the work of the ombudsmen, approximately 18 per cent of members were women.
14. **Mr. Raiganiyev** (Kazakhstan) said that gender-based discrimination was provided for under the Labour Code and that victims could bring legal proceedings against their employers for allowing such discrimination to happen. The Government planned, however, to introduce a more precise and broader definition of discrimination in the workplace.
15. The Government was implementing a programme aimed at increasing the number of women working in sectors traditionally dominated by men. Although, under the Labour Code, women were not permitted to undertake certain jobs that might pose a risk to their reproductive health, the number of jobs prohibited to women had fallen significantly and would continue to fall as the economy became increasingly mechanized. Growing numbers of men were taking parental leave. Women's right to work from home and to have flexible working hours were protected under the Labour Code. Increasing numbers of women were choosing to exercise that right.
16. **Ms. Abdykhalikova** (Kazakhstan) said that the gender pay gap, which stood at 34 per cent, was being addressed through general agreements established between employers, employees and the Government.
17. **Ms. Al-Rammah**, noting that rates of abortion and teenage pregnancy were relatively high in the State party, said that she wished to know what was being done to provide free or subsidized contraception to members of vulnerable groups, including women on low

incomes, rural women, persons with disabilities, persons living with HIV/AIDS or tuberculosis, and adolescents. She wondered whether any plans were in place to lower the age at which young persons could obtain access to health services without their parents' consent. It would be interesting to hear about any measures taken to train health-care staff in gender issues in order to improve the quality of care provided in clinics for young persons.

18. The Committee wished to know what was being done to increase access to family planning services for women with disabilities and to ensure that such women were not subjected to forced abortions or forced sterilization. It would also appreciate hearing about any measures taken to protect and promote the right of women with disabilities to give or withhold their free and informed consent to all medical procedures. She wondered why the abortion rate among women with disabilities was eight times higher than the rate for the general population. Would the State party consider conducting inclusive, accessible campaigns to raise awareness of sexually transmitted infections among women and girls with disabilities?

19. The delegation might provide updated information on the amendments proposed in 2017 to the Code on Public Health and the Health-Care System and the Act on Compulsory Social Insurance. It might also state whether women refugees and asylum seekers, and women of undetermined nationality, would be covered by compulsory health insurance or whether they would have to pay for basic medical services, including prenatal and postnatal health care. She asked whether any measures were being taken to eliminate discrimination and violence against women living with HIV/AIDS and to ensure their access to adequate health services, including sexual and reproductive health care and treatment for HIV/AIDS. Did the State party plan to implement any programmes aimed at overcoming the stigma and marginalization faced by women living with HIV/AIDS?

20. **Ms. Aktayeva** (Kazakhstan) said that compulsory medical insurance, and a list of guaranteed medical services, would be introduced at the start of 2020. That insurance would be available to all citizens and non-nationals permanently residing in Kazakhstan, including stateless persons. Currently, free medical care was provided to stateless persons in emergency situations and to those with acute illnesses, including HIV/AIDS and tuberculosis. Persons living with HIV/AIDS or tuberculosis were not deported. In order to increase access to health-care services, the funding allocated to the State social insurance fund would be increased by 60 per cent.

21. The abortion rate among teenagers had fallen by 35 per cent while the number of pregnancies among women of childbearing age had fallen by 50 per cent to around 20 per 1,000 women. Family planning clinics in urban and rural areas provided free advice on the prevention of unwanted pregnancy. Contraception, funded by regional budgets, was provided to members of vulnerable groups, including teenage girls. Over 100 dedicated medical centres provided health care, counselling and social services to young persons, who could visit the centres directly without being referred by a doctor. The Government had drawn up a bill on the health-care system that would provide for a reduction in the age at which young persons could obtain all medical services, except abortion services, without their parents' consent. In conjunction with the United Nations Population Fund, a model medical centre had been established for the purpose of training medical staff, who passed on their knowledge to staff in other centres across the health-care system.

22. Women with disabilities who had partial or total contraindications for pregnancy could undergo procedures for preventing unwanted pregnancy. Such procedures were undertaken only with the consent of the woman concerned. Thanks to developments in medical science, the number of illnesses or conditions that were contraindications for pregnancy was continuously falling. Women with disabilities were never forced to undergo abortions.

23. **Ms. Abdykhalikova** (Kazakhstan) said that the Government would be reviewing the implementation of the new Code on Public Health and the Health-Care System to determine whether it was in line with the Convention.

24. **Mr. Raiganiyev** (Kazakhstan) said that a pilot electronic government project that facilitated online access to persons with disabilities to social services, such as transportation and sign-language interpretation, had been rolled out.

25. **Ms. Song** said that she would like to know why women earned less than men in Kazakhstan when women tended to be better educated. She wondered whether career guidance was provided to women students at university, whether research into the reasons behind the gender pay gap had been conducted and, if so, whether any ways of closing the gap had been identified. Was the pay gap linked to horizontal segregation in the labour market, which had the effect of excluding women from certain jobs?

26. **Ms. Ameline** said that she wished to know whether the initiatives being taken to promote gender equality in the public sector were also being applied in the private sector. She wondered whether the State party would consider using temporary special measures to increase the number of women in decision-making positions in the innovation sector and in professional organizations.

27. **Ms. Peláez Narváez**, noting that large numbers of women with disabilities were subjected to forced sterilization and abortion in the State party, said that she wished to know whether the Government would consider banning those practices and ensuring that persons who engaged in them were punished. It would be interesting to learn how the authorities ensured that all women were able to give their free and informed consent to all forms of medical intervention and treatment and whether all sexual and reproductive health services, including family planning services, were accessible to women with disabilities.

28. **The Chair**, speaking in her capacity as an expert, said that she wished to know how many of the 900 or so girls who had dropped out of school to have a child had subsequently been able to return to school. It would be interesting to learn what mechanisms were in place to ensure that all girls were able to complete their education and find decent employment. The Committee would like to know which jobs the Government had identified as being potentially dangerous for women's reproductive health and whether the restrictions on women's employment were in any way linked to a lack of adequate health and safety standards in the workplace. It would be interesting to learn whether women were still prevented from holding jobs that involved skinning and butchering cattle and other ruminants.

29. **Ms. Abdykhalikova** (Kazakhstan) said that representatives of the National Commission on Women's Affairs and Family and Demographic Policy had visited Norway in order to learn about approaches taken in that country to the promotion of gender equality in the labour market. Following the visit, the question of how to increase women's representation on the boards of private companies had been discussed in round-table meetings with representatives of the energy sector, the agricultural sector and other areas. Currently, women made up around 40 per cent of the members of the governing bodies of the country's largest companies. The National Bank of Kazakhstan employed women in decision-making positions and had a significant number of women on its board of governors.

30. **Ms. Assylova** (Kazakhstan) said that economic policy in Kazakhstan prioritized the development of human resources. In that regard, a new vocational training curriculum had been designed that focused on developing critical thinking, information management and financial awareness, among other areas. Boys and girls received career guidance in schools but no attempt was made to influence their choice of career. Girls received a significant proportion of the grants awarded to students of technical subjects, reflecting the rise in the number of girls opting for such subjects. Thanks to the support made available by the Government, girls who had left school to have a child were able to return to school and complete their education. Free vocational training was provided to children who did not enter higher education. Over 50 per cent of the students who undertook such training were girls.

31. **Mr. Raiganiyev** (Kazakhstan) said that the Government's long-term strategy document on family and gender policy set out clear indicators on gender equality that were applied by employers in the State and the private sectors. Women were strongly represented in professional associations and trade unions, which worked with the Government to promote gender equality and help women to enter decision-making positions. Although women were prevented from working in jobs that involved carrying heavy loads, increasing mechanization would help to remove that obstacle and broaden women's employment opportunities.

32. **Ms. Abdykhalikova** (Kazakhstan) said that abortion services were free of charge. Lawful abortions were carried out only after the consent of the woman concerned had been obtained. The performance of unlawful abortions was a criminal offence.

33. **Ms. Aktayeva** (Kazakhstan) said that women made up 45 per cent of heads of companies in Kazakhstan and 39 per cent of the workforce. The Government was implementing the “Women in Business” programme in order to promote women’s employment opportunities in the private sector. Over the past five years, women’s access to microcredit had increased by over 13 per cent.

34. **Ms. Aitzhanova** (Kazakhstan) said that over 43 per cent of the heads of small and medium-sized enterprises were women. Thanks to the Government’s efforts to promote women’s entrepreneurship, Kazakhstan had been ranked thirty-second in the World Economic Forum’s ranking of 149 States by equality of economic participation and opportunity. Statistical data on employment did not support the Committee’s view that there was a significant discrepancy between women’s level of education and their career opportunities.

35. **Ms. Eghobamien-Mshelia** said that, even though women reportedly accounted for a significant percentage of the working population, they seemed to be confined to narrow range of sectors where they received lower wages than men, who continued to dominate higher paying sectors, such as construction, industry and oil and gas. Moreover, the number of opportunities available to highly qualified women was limited by an extensive list of prohibited professions. The delegation might describe the impact of the resulting job segregation on the level of social and economic benefits available to women and indicate whether the increase in the number of women employed in rural areas had led to better social safety nets for women. It would be useful to know what the outcome of the studies on the economic empowerment of socially vulnerable women, conducted under a joint project of the Ministry of the National Economy and UN-Women, had been and how those findings had influenced social protection policy and service provision. She would appreciate information on any recent measures taken to improve the tools used to calculate social benefits and to promote women’s entrepreneurship and economic well-being.

36. The delegation might also specify the benefits to which working mothers, unemployed mothers, mothers living in rural areas and mothers working in the informal sector were entitled under the current maternity benefits scheme and indicate whether eligibility for those benefits was income dependent. The Committee had learned from alternative sources that benefits granted to women who had given birth to seven or more children under the gold pendant award scheme were actually quite limited and that the rented accommodation provided to such families was inadequate and, in some cases, unsafe. She would like to receive more information on the scheme in general. It would also be useful to know whether the social benefits to which the vulnerable groups enumerated in paragraph 131 of the State party’s report were entitled had served to improve their quality of life. The delegation might explain how the State party ensured that the information on social benefits available on the Government’s website reached rural women.

37. She would also be interested to know whether the Damu-Kemek project to develop entrepreneurship and partnerships with international organizations had enhanced their social and economic standing. The delegation might also indicate whether the State party’s cooperation with the European Bank for Reconstruction and Development had resulted in the granting of concessional credit to businesses owned by women. What percentage equity share were women required to have in a business in order to gain access to that credit? What was the acceptance rate of applications for loans or lines of credit submitted by female entrepreneurs living in rural areas?

38. Lastly, it would be helpful to learn more about any policies, incentives or temporary special measures in place to promote women’s participation in the sports and recreation sector and to encourage increased private sector investment in sporting activities involving women.

39. **Ms. Gabr** said that, despite some limited progress, many women living in rural areas still struggled to obtain the credit necessary to start their own business. Rural women also appeared to experience difficulties in gaining access to basic social services and had to

contend with a lack of access to information and communications technology, the precariousness of seasonal employment and polluted drinking water. It would be useful to know whether the various strategic development initiatives undertaken by the State party specifically addressed those issues and, if so, what progress had been achieved. She would also like to hear more about the social services available to internal female migrants and female refugees and asylum seekers living in rural areas, and about the efforts to involve rural women in the State party's various environmental projects. She wished to draw attention to the Committee's general recommendation No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change in that connection.

40. She would also appreciate more information on the procedures in place to assist undocumented women living in rural areas, particularly heads of household, who had been unable to regularize their legal status in the country. It would also be useful to learn more about the programmes in place to assist older women, particularly older women living in rural areas, and about how the State party supported the non-governmental organizations (NGOs) providing social services to women with disabilities living in rural areas. She would be grateful if the delegation could also provide more information on the national programme for women with disabilities.

41. **Ms. Shaimova** (Kazakhstan) said that three organizations provided loans to female entrepreneurs in rural areas. To date, around 7,000 women had received loans worth \$3 million. Efforts to develop rural entrepreneurship were ongoing. The national chamber of entrepreneurs had arranged for a mobile team to provide rural women with training on the basic principles of entrepreneurship. Loans were available to female entrepreneurs under the fund for supporting agricultural activities in rural areas.

42. **Ms. Aitzhanova** (Kazakhstan) said that, each year, around \$1 million from the national budget were allocated to fund low-interest loans for female entrepreneurs. The European Bank for Reconstruction and Development offered female entrepreneurs long-term loans with similar terms.

43. **Mr. Raiganiyev** (Kazakhstan) said that there were around 4 million women living in the country's rural areas. Women were classed as a vulnerable group and were given priority treatment in all social programmes. One particular State programme offered women the opportunity to attend short-term refresher courses or to retrain in order to help them find employment. Around 13,000 women had attended entrepreneurship courses under a programme conducted in cooperation with the national chamber of entrepreneurs. Upon successfully completing the course, those women could apply for grants to open their own business. Under a presidential decree, impoverished rural women with large families were eligible to receive a new range of benefits under various State programmes. To date, between 4,000 and 10,000 families had benefited from that targeted social assistance. Local government agencies also allocated funds to help rural women with large families cover the cost of their children's schooling and learning materials. Those women could also avail themselves of special low-interest housing loans. The President had also launched a new initiative to reduce the debt burden on rural women and other impoverished population groups. Additional steps were being taken to improve the accessibility of loans and other credit services to women living in rural areas and to ensure that they had the skills necessary to compete in the labour market. Although unemployed women could not currently claim social benefits to cover the cost of childcare, they were eligible to claim standard unemployment benefits.

44. **Ms. Abodykhalikova** (Kazakhstan) said that, in 2019, there had been a significant amount of rural to urban migration. To date, over 2,800 women with large families had been allocated free housing for an extended period. Some 6,000 large families were expected to move to new rental housing by the end of 2019. Approximately 40,000 new rental housing units would be built by 2025.

Articles 15 and 16

45. **Ms. Leinarte** said that, while she understood that the institutions of family and marriage occupied an important place in Kazakh society, she was concerned by the fact that the majority of the population continued to view childcare and housework as the

responsibility of women alone. The State party could help to change that perception by encouraging more men to take on childcare and housekeeping responsibilities, as doing so would allow them to gain an appreciation for the burden associated with unpaid domestic work and its impact on the lives of women and girls. Unpaid domestic work should likewise be recognized in the Marriage and Family Code or similar legislation and efforts should be made to reinforce the fact that Kazakh women had a purpose other than to procreate.

46. It was her understanding that over a quarter of the population were reportedly in favour of legalizing polygamy. The delegation should describe the steps taken by the State party to change the mindset of that segment of society. The high prevalence of early marriage in Kazakhstan was undoubtedly attributable to female adolescents being largely unaware of their rights and the State party's failure to punish individuals who registered religious marriages involving underage girls. Furthermore, she understood the Criminal Code to provide that, in cases where an underage bride was kidnapped and later released, her kidnapper was exempt from prosecution. That legal loophole should be addressed without delay. The high rate of convictions of individuals brought to justice for having married off underage girls attested to effectiveness of the State party's efforts to eradicate that practice. Nonetheless, girls were still under considerable pressure to marry before their twenty-second birthday. Once married, girls aged between 15 and 22 years of age would likely start a family and have little opportunity to continue their studies or to develop into fully-fledged adult women who were aware of their rights and their true worth.

47. **Mr. Raiganiyev** (Kazakhstan) said it was estimated that people in Kazakhstan spent around a fifth of their time on unpaid domestic work, which was comparable to the time spent on those activities in other Organization for Economic Cooperation and Development countries. The National Commission on Women's Affairs and Family and Demographic Policy worked to promote the equal distribution of childcare responsibilities and household chores between men and women and fathers' unions were active in raising public awareness of that issue. It was hoped that those efforts would help to challenge stereotypical assumptions about the division of unpaid domestic work.

48. **Ms. Mauberlinova** (Kazakhstan) said that a number of campaigns against early marriage had been launched in cooperation with educational institutions and the mass media. Those campaigns often took the form of short films and documentaries. Girls who were victims of violence or who had been forced into marriage could seek legal advice and psychological support at any of the country's crisis centres.

49. **Ms. Assylova** (Kazakhstan) said that the outcome of the research conducted into the underlying causes of early and forced marriage had formed the basis of a series of recommendations for parents, teachers and other interested parties. An online comic book series had been launched to raise awareness of early and forced marriage among adolescent girls and to underscore the importance of the realization of their rights. A 10-day campaign to raise awareness of the need to protect young girls from discrimination and from early and forced marriage was conducted every October.

50. **Ms. Tursynbekova** (Kazakhstan) said that, as Kazakhstan was a secular State, only marriages contracted before State agencies were recognized. The legal age of marriage was 18 years for both boys and girls and could be reduced only in the event of the girl falling pregnant. Religious marriages, including polygamy, despite continuing to take place, were not recognized and had no legal effect. Persons who were already married could not therefore enter into a second marriage without having annulled their first marriage. Efforts were being made to reach an agreement with religious organizations under which religious ceremonies could take place only after the relevant paperwork had been received by the competent State agencies. Further measures to prevent polygamy and early marriage were being considered.

51. **Ms. Eghobamien-Mshelia** said that she would like to receive responses to the remainder of the questions that she had posed under article 13 in writing within 48 hours.

52. **Ms. Nadaraia** said that lesbian, bisexual and transgender women in Kazakhstan were particularly vulnerable and continued to face myriad challenges. It was her understanding that, in some cases, sex reassignment surgery was still mandatory and that existing health-care policies did not respond to the specific needs of transgender women, who were particularly vulnerable to, inter alia, HIV/AIDS. Moreover, it seemed that the State party had

still not recognized sexual orientation and gender identity as aggravating factors applicable to hate crimes committed against the lesbian, bisexual and transgender community or its defenders. She had also been given to understand that applications to register organizations working with that community were often rejected. The delegation should provide, in writing and within 48 hours, information on any steps taken by the State party to improve the situation of lesbian, bisexual and transgender women and to ensure that the national development agenda took account of their specific needs.

53. **Ms. Abdykhalikova** (Kazakhstan) said that she wished to thank the Committee for the constructive dialogue. The Government of Kazakhstan remained committed to meeting its obligations under the Convention and would take due account of the recommendations made to it. She recognized that more needed to be done to combat gender-based violence and to guarantee women, particularly women with large families and women with disabilities, equal access to services. A national committee of experts had been set up to draft, with the assistance of NGOs, a clear, detailed gender equality road map for the employment and social services sectors.

54. **The Chair** said that the Committee was grateful to the delegation for the insight that it had provided into the situation of women in Kazakhstan. She encouraged the State party to take the measures necessary to give effect to the recommendations contained in the Committee's concluding observations and to accept, as soon as possible, the amendment to article 20 (1) of the Convention concerning the Committee's meeting time.

The meeting rose at 5.10 p.m.