



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

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

Summary record of the 500th meeting

Held at Headquarters, New York, on Thursday, 25 January 2001, at 10.30 a.m.

Chairperson: Ms. Abaka

later: Ms. Açar (Vice-Chairperson)

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The meeting was called to order at 10.40 a.m.

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

Initial report of Uzbekistan (CEDAW/C/UZB/1)

1. *At the invitation of the Chairperson, Mr. Vohidov (Uzbekistan) and Mr. Saidov (Uzbekistan) took places at the Committee table.*

2. **Mr. Vohidov** (Uzbekistan) expressed his delegation's satisfaction at being able to submit Uzbekistan's initial report to the Committee, which would be introduced by Mr. Akmal Saidov, Chief of the National Centre on Human Rights and Chairman of the Committee for Democratic Institutions of Uzbekistan.

3. **Mr. Saidov** (Uzbekistan) said that his country had already had contacts with members of the Committee the previous year. In that connection, he wished to thank Ms. Corti and Ms. Açar for their assistance in conducting a seminar in Tashkent in November 2000, organized jointly by the Women's Committee of Uzbekistan and the United Nations Development Fund for Women (UNIFEM), on the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and matters relating to implementation, monitoring and accountability.

4. The Government of Uzbekistan attached great importance to improving the status of women and had ratified the Convention on 6 May 1995 as well as various conventions on protecting motherhood, equal pay for equal work and the political rights of women in subsequent years. In the two years since the preparation of the initial report, the Government had put into place a strategic plan to implement the basic provisions of the Convention and the Beijing Platform for Action. He also wished to draw attention to the active participation of national non-governmental organizations in the preparation of the national reports to the six major United Nations human rights bodies, including the report currently before the Committee.

5. Uzbekistan had a population of 25 million people, more than 50 per cent of whom were women. Uzbekistan was at the geographic and political heart of Central Asia. Although it had been a free and sovereign nation only since 1 September 1991, its history could be traced back more than 3,000 years. The historic Silk

Road had passed through Uzbekistan. The medieval court at Samarkand had funded great architectural monuments and hosted many famous scholars, scientists, artists and writers.

6. After declaring independence in 1991, Uzbekistan had set about building a democratic secular society based on the rule of law, with an open-market economy and a strong system of social protection. The new Constitution had been adopted in December 1992 with strong provisions guaranteeing the rights and fundamental freedoms of all citizens; in particular, its article 46 established the equality of men and women in all spheres of life. The Constitution also protected the rights of the many ethnic groups in the country to develop their cultures, traditions, religions and languages in a spirit of tolerance. The country was rich in natural resources and was an important producer of cotton, gold, copper, rare and strategic metals and energy. About 50 per cent of the population was under 18 years of age.

7. In the transition from a totalitarian system to an open democratic society the Government had been guided by five main principles. First, priority would be given to the economy over politics, removing ideology from internal and external economic relations. Second, the Government would act as the main reformer and innovator in the democratic changes during the transition period. Third, the rule of law was to prevail, along with the supremacy of the Constitution. Fourth, a social policy protecting the needs and interests of citizens would be maintained. Fifth, the transition to a market economy would be carried out gradually. Above all, for reform to be possible, there had to be stability and security.

8. Among the measures taken to implement the provisions of the Convention, he cited legislation to protect the rights of women. The Constitution, the Criminal and Family Codes, other laws and government decrees all embodied the standards set forth in the Convention. Although the term "discrimination against women" did not figure in the Constitution, nor was there a specific law on the subject, it was widely used in legal practice and reflected in the normative acts in force. There were up to the present 70 laws with a bearing on the protection of the basic rights and freedoms of women, so it could be said that jurisprudence on gender issues had taken shape in Uzbekistan. His Government welcomed the

entry into force of the Optional Protocol and was studying its ratification.

9. The basic institutional framework for the protection of the rights of women in the Oliy Majlis, the Uzbek parliament, consisted of the Committee on Social Matters and Employment and the Committee on Women and the Family, which studied new legislation on gender issues and monitored implementation of existing laws and programmes and the international instruments dealing with discrimination against women and women's political rights. A new ministerial post of Deputy Prime Minister for the Social Protection of the Family, Motherhood and Childhood had been created; its secretariat provided a national mechanism for protecting the rights of women and improving their status.

10. The national institutions monitoring the protection of the rights of women included the office of the Commissioner for Human Rights, or Ombudsman, attached to the Oliy Majlis, the Commission on the Observance of Constitutional Rights and Freedoms of Citizens in the Ombudsman's office, the Institute for Monitoring Legislation in Force, attached to the Oliy Majlis, and the National Centre for Human Rights. Under the National Platform for Action to Improve the Status of Women of Uzbekistan and their Role in Society, the practical implementation of national legislation and international obligations with regard to the status of women was constantly being monitored. That process involved the collaboration of the Government and State institutions, non-governmental organizations, the mass media, the institutions of civil society and sociological research. The goal was to obtain a general picture of the situation and to assist in the adoption of specific recommendations and measures to improve the status of women.

11. The Government had promoted the development of a women's movement in the non-governmental sector. At the beginning of 2001 there were about 100 women's non-governmental organizations in Uzbekistan, where there had been none before independence. They had become a significant force in gender-related activities, working in partnership with the Government to establish important initiatives and programmes, carrying out research and cooperating with foreign organizations. They provided social and professional support to women during the transition to a market economy and ensured women's representation and full participation in State bodies and decision-

making and in employment. They worked for full access for women to education and strengthened women's knowledge of the law and their protection under the law. They worked to protect motherhood and childhood, family planning and reproductive health and to protect the environment and eliminate any factors that might be harmful to women's health. Finally, they developed ties with international women's organizations, exchanging information and experience. To a significant extent all these activities involved educational programmes.

12. Detailing those programmes, he cited the national campaign to inform all citizens of the rights and freedoms of women. In the framework of the United Nations Decade for Human Rights Education, Uzbekistan had developed a National Programme of Action for Human Rights, a significant component of which involved educating women in human rights. International instruments, including the Convention, had been translated and distributed widely to the population. Courses on human rights and gender-related provisions in the Constitution and the law had also been organized in schools. Special seminars had been organized for women to increase their political awareness and their knowledge of the law. A school for women leaders was in operation. Courses for women aimed at increasing their administrative and substantive skills were being organized, with a view to promoting the advancement of women in the civil service. Many seminars had been held to deal with the stereotyping of women and to promote awareness of the targets of the Beijing Platform for Action and the provisions of the Convention.

13. The Government sought to strengthen international cooperation aimed at protecting the rights of women. In that connection it had prepared and submitted to the United Nations a report on national efforts to implement the Beijing Declaration and Platform for Action. The Women's Committee of Uzbekistan had strengthened its ties with foreign women's organizations, some of which had assisted the Committee in establishing information centres on gender issues and crisis centres in major cities in the country. In cooperation with UNDP, the Women's Committee had established an Office for Gender and Development in Uzbekistan.

14. Turning to the results of specific measures taken by the Government to implement the basic rights of women, he noted that women were well represented,

both as teachers and as students. Half of all specialists and experts with higher or secondary education and 50 per cent of those working in education were women. Thirty-seven per cent of all students in higher education were women. Women were being trained and retrained for the new economy, which demanded newer and greater skills. Those efforts formed part of the implementation of the National Programme to Train Personnel and the Law on Education.

15. In its efforts to ensure the right to salubrious and fair working conditions, which connoted the elimination of discrimination against women in the workplace, the Government also provided additional protections related to their family obligations. It assured the protection of the rights of pregnant women and women with children with regard to hiring and firing, and leaves for pregnancy and child care. Women were excluded from night work or overtime and those with children under three worked a shorter week without losing pay.

16. The transition to a market economy had led to changes in women's economic activity. Seventy per cent of women were currently employed in the private sector. His Government was aware that in the transition period families depended to a large extent for the maintenance of their incomes on women's participation in the labour market. It was therefore taking steps to facilitate the combining of work and family responsibilities and to promote women's employment. More than 40 per cent of the approximately 300,000 new jobs created each year in Uzbekistan were occupied by women. Job creation on such a scale was possible because of the dynamic implementation of structural change and the rapid development of social and productive infrastructure, particularly in rural areas and small towns. As a result of his Government's efforts, women currently constituted 42 per cent of the labour force.

17. Women's entrepreneurship was being encouraged through such structures as the National Chamber of Entrepreneurs and Commodity Producers, the Business Fund, the Employment Promotion Fund and the Association of Businesswomen. Currently, almost one third of Uzbekistan's 64,000 entrepreneurs were women and nearly 8,000 small and medium-sized businesses were headed by women.

18. The health of women and children was among his Government's priorities. Indeed, 2001 had been

declared the Year of the Mother and Child. The problems of the transition period had led, however, to a decline in the budgetary resources allocated to health-care services, and there had been a marked reduction in the capacity of medical institutions to prevent illnesses and treat patients.

19. Uzbekistan had long had a high birth rate. His Government was implementing a number of programmes aimed at improving the health of women of childbearing age and establishing the conditions necessary for the birth of healthy children, including the "Mother and Child Screening" programme. Women's reproductive health was also a priority. As a result of the measures taken, there had been significant reductions in the levels of maternal and infant mortality and the number of abortions.

20. His Government was seeking to promote more humane treatment of women convicted of crimes. Women prisoners had been among the main beneficiaries of the amnesties declared by the President. Various steps were taken to provide them with moral and material support upon release.

21. His Government was aware that the measures implemented to date constituted only the first stage in the realization of women's rights and freedoms. It was open to dialogue, ready to work ceaselessly towards that goal, and it would continue to be guided in the formulation of its women's policy by the provisions of the Convention.

22. **The Chairperson** said that the Government of Uzbekistan was to be commended for preparing a frank and exhaustive initial report containing a wealth of gender-disaggregated data. She regretted, however, that the report had not been submitted in a more timely fashion.

23. Uzbekistan had acceded to the Convention without reservations at an early stage of the transition period, which was proof of its Government's strong commitment to the attainment of gender equality. Uzbekistan's adherence to the principle of the precedence of generally accepted rules of international law over national legislation showed a determination to build a democratic society based on respect for human rights. It was unclear, however, whether the relevant international instruments were being adequately enforced, although the Government appeared to have created the necessary machinery. It was to be hoped that that problem would be addressed.

24. **Ms. Corti** said that the excellent oral presentation had given the Committee a clearer understanding of the history of Uzbekistan, its political institutions and the role of women in Uzbek society. She welcomed, in particular, the Government's commitment to the protection of the rights of Uzbekistan's more than 120 nationalities and to the preservation of their languages and cultures, which had facilitated their peaceful coexistence. During her recent visit to Uzbekistan, she had seen at first hand the high level of education among Uzbek women, who constituted a tremendous human resource. She had also become aware of the pressures the Government faced from reactionary forces beyond its borders.

25. Uzbekistan's accession to the major international human rights instruments and its readiness to engage in a dialogue with the various treaty-monitoring bodies demonstrated its desire to become a full-fledged member of the international community of nations that promoted and protected human rights. She noted with satisfaction that the Government had already taken steps to bring Uzbekistan's national legislation into line with the instruments to which it was a party, for example, by adopting new Civil and Family Codes and reforming the Criminal Code.

26. She welcomed the establishment of national mechanisms charged with monitoring the protection of human rights, in particular the Institute for Monitoring Legislation in Force attached to the Oliy Majlis, the institution of the Commissioner for Human Rights (Ombudsman) of the Oliy Majlis and the legal aid centre "Adolat". The designation of the Deputy Prime Minister as the official responsible for women's rights had given added political weight to the Government's commitment to the attainment of gender equality.

27. She was concerned, however, that the Constitution contained no definition of discrimination, nor did it make clear what the legal status of the Convention was vis-à-vis Uzbekistan's national legislation. Another cause for concern was the emphasis in Uzbek society on women's reproductive role. Such initiatives as the establishment of the Secretariat for the Social Protection of the Family, Motherhood and Childhood in the Cabinet of Ministers, while welcome in themselves, were indicative of a failure to separate women's reproductive rights from their rights as human beings. The roots of the problem perhaps lay in Uzbekistan's history and traditions. She

therefore urged the Government to reflect anew on women's role in contemporary society.

28. The report contained a wealth of data on the de jure situation with regard to women's rights in Uzbekistan, but the information on the de facto situation was not adequate. She would like to have known, for example, how the Government was combating the phenomena of trafficking in women, violence against women and domestic violence. Also, while the report mentioned the conduct of seminars aimed at eliminating stereotypes, reference should also have been made to the efforts undertaken to change the portrayal of women in the mass media and in school textbooks, if any.

29. **Ms. Açar** said that one of the prerequisites for the full implementation of the Convention was a strong commitment on the part of the political leadership of a State party to the realization of women's human rights in all spheres of life. She had therefore been encouraged, during her recent visit to Uzbekistan, to see that the Uzbek Government accorded due importance to the elimination of discrimination against women. She commended its unyielding efforts to resist the retrogressive trends in the country and the region and its determination to create a democratic and open society and a stable social and political environment. The full implementation of the Convention would be critical in that context.

30. The Government must ensure that the desire to promote traditional values in the interest of nation-building was balanced against the need to recognize fully, promote and protect women's human rights. She would be interested to know what the role of the "Makhalla" foundations was in that regard.

31. A definition of discrimination that reflected both its direct and indirect forms, should be incorporated in the Uzbekistan Constitution. The Convention viewed women as individual human beings with the right to be free of discrimination irrespective of their status. Furthermore, an awareness of that fundamental principle, which was critical in transitional societies like Uzbekistan, should be inculcated in the society. Uzbekistan had a tradition of highly accomplished women, and an impressive heritage of women active in the labour force. In moving the society towards democracy, women would be an important resource, and their liberation should be seen as a force for progress. She urged the Government to take proactive

steps to update the Constitution for the benefit of the whole society.

32. **Mr. Melander** inquired by what procedure international instruments were ratified, what was the role of the Oliy Majlis in the ratification process, and what was the rank of an international treaty within the domestic legal order after its ratification. In addition, he would like to know how and to what extent a ratified international instrument formed part of the justice system.

33. He would also like to know whether refugee camps existed for refugees and internally displaced persons. When the report stated that the Constitution entitled citizens to freedom of movement, did that imply that the movements of other persons were restricted?

34. **Ms. Livingstone Raday** said that, although the Government had demonstrated its political will by adopting gender equality as a policy and creating the necessary institutions, those achievements were not reflected in social and economic indicators on the status of women. She would welcome an explanation for that discrepancy, in particular for the high drop-out rate of girls, the high female unemployment rate, the high birth rate, and the high female suicide rate. The high birth rates, as the report had noted, had a negative impact on women's skill levels and participation in production.

35. Information would also be welcome on the implementation of the norms with regard to violence against women. Noting the decrease in the number of prosecutions for rape between 1995 and 1998, she wondered whether that trend had continued, or had been reversed. More information on the incidence of domestic violence would also be helpful as well as on measures taken by the Uzbekistan Government to prevent it. It would be interesting to know the number and nature of the cases of domestic violence that had been heard by the courts.

36. **Ms. Schöpp-Schilling**, noting that Uzbekistan was in the process of becoming a modern industrial democracy, said that certain traditional norms should be reconsidered with a view to ensuring equal rights for men and women. Referring to article 2 of the Convention, she said that although no discriminatory legislation apparently existed, it would be useful to know whether a thorough legislative review had been conducted. Moreover, although the Constitution

prohibited discrimination on the basis of sex, it contained no definition of discrimination. It would be helpful to know whether discrimination was defined in either the Family Code or the Labour Code, and whether the Government intended to formulate an equal opportunity law that would encompass all related legislation, and which would include both a definition of discrimination and a provision for the application of temporary special measures.

37. It would be helpful to know if ordinary citizens and judges were aware of the principle that international instruments took precedence over domestic legislation. She would also like to know whether the mandate of the Ombudsman clearly covered gender discrimination, including a definition of what it entailed, and how many complaints had the Ombudsman received from men and women on issues involving gender discrimination. Finally, it would be helpful to know whether the Ombudsman's decisions had the force of law, or whether his role was limited to providing guidance.

38. **Ms. Goonesekere** commended Uzbekistan for offering excellent educational opportunities to girls and women, particularly at the tertiary level. Uzbekistan had embarked on a unique initiative: a review of legislation conducted by the legislature in collaboration with a women's committee, which had described Uzbekistan's impressive and egalitarian family and labour laws. The report stated that people were the sole source of State authority, and spoke of an independent judiciary and a range of judicial forums. It also indicated that only members of the legislature and judges, not private citizens, could bring complaints before the constitutional court. She would like to know what recourse private citizens had and what kind of cases were brought before the constitutional court. She would also welcome information on the role of the courts known as *khokim* and the *khokimiyats* and what was meant by authority on the principle of one-man management. She also inquired whether the Convention could be invoked before the courts. She encouraged the Institute for Monitoring Legislation in Force to address that issue, because it was especially relevant to the Optional Protocol.

39. **Ms. Ferrer Gómez**, speaking on behalf of herself and of Ms. González, sought clarification on Uzbekistan's mechanisms for the advancement of women including the Women's Committee. She would like to know whether it was a non-governmental or a

governmental organization, what were its funding sources and membership, how it was staffed, and what authority it exercised on the national level. It would be useful to know whether the judicial and legal assistance it provided was free, how many women had benefited from those services, and what new subjects it had raised. It would also be helpful to know if the National Women's Council represented a number of organizations, whether it was subordinate to the Ministry of the Family, how it was financed, what were its functions and goals, and what was its status throughout the country. What was meant by the gender office? The relationship between those bodies and the Secretariat for the Social Protection of the Family, Motherhood and Childhood, should be made clear. The Government's ambitious project in the areas of health and education for 1998 referred to women only as mothers and discussed enhancing the role of the family. What had been women's role in that project? She would also like to know the results of the national plan to implement the Beijing Platform for Action. Finally, it would be helpful to know what measures had been taken to assist poor women in all sectors, and whether a gender perspective had been introduced in programmes providing assistance to impoverished families.

40. **Ms. Achmad** said that, although the initial report was extensive and offered many statistics, the status of women under the law and the concept of equality between men and women were not clearly explained. She would like to know whether Uzbekistan was planning a policy regarding women as equal partners with men, replacing the concept of motherhood with that of parenthood, with a view to achieving genuine gender equality in all sectors, with one regard for the special needs and concerns of women. She commended Uzbekistan for its serious political commitment and for its achievements in reforming its laws. Lastly, she encouraged that country to carry out studies to measure the success or failure of its programmes, and to formulate an equal opportunity law.

41. *Ms. Açar, Vice-Chairperson, took the Chair.*

42. **Ms. Abaka**, noting that the special session of the General Assembly on the review of the implementation of the outcomes of the Beijing Conference had clearly indicated the negative effects of globalization on developing countries and countries in transition, wanted to know the impact of that phenomenon, and of privatization, on the situation of women in Uzbekistan.

43. **Ms. Myakayaka-Manzini** sought information on the composition of the Secretariat for the Social Protection of the Family, Motherhood and Childhood and on its relationships with the Women's Committee. She wondered whether there were gender focal points in other ministries dealing with gender equality. She was interested in the outcome of the designated "Year of Family Interests" and the "Year of Women", and whether they had helped to promote the cause of gender equality and the development of society as a whole.

44. **Ms. Tavares da Silva** wanted to know the terms of the mandates of the Women's Committee and the Secretariat for the Social Protection of the Family, Motherhood and Childhood. She also wondered about the relationships between the Year of Women and the National Platform for Action to Improve the Situation of Women in Uzbekistan and to Enhance their Role in Society, and whether civil society, including non-governmental organizations, had been involved in the design and implementation of those programmes.

45. **Ms. Goonesekere**, noting that Uzbekistan's law on rape seemed to be very general and did not specifically define rape as intercourse without consent, wanted to know how rape was defined. Moreover, the law was not clear on what constituted marital rape. She would appreciate specific information on cases of domestic violence which had actually been prosecuted in Uzbekistan courts. Noting that the law authorized a court to delay a divorce for a period of up to six months, she wondered whether that period for purposes of reconciliation could not sometimes be used against women, forcing them to tolerate continued abuse. Perhaps a special law was needed on domestic violence that focused on that particular problem. She would also appreciate information on the Government's policy with regard to incest and information on suicide rates among women, their causes and any relevant studies. It would be interesting to know whether domestic violence was one of the causes of suicide among women. The delegation should explain whether local tribunals, in particular the *khokims*, played any role in the enforcement of the law governing domestic violence and whether the programmes on human rights education for lawyers, professionals and the police included education on gender-based violence, including domestic violence.

46. **Ms. Shin** asked for information on the relationship between the Secretariat for the Social

Protection of the Family, Motherhood and Childhood, the Ombudsman and the National Centre for Human Rights. She wanted to know which of those bodies had the final say on policy with respect to women. The programmes of the specific years — “Year of Family Interests”, “Year of Women” and “Year of Mother and Children” — were vague and abstract. She wondered whether they had generated any specific programmes or policies. The impression she had gathered from her reading of those programmes was that national and other interests took precedence over the interests of women.

47. **Ms. Schöpp-Schilling** welcomed the restoration by the Government of a quota regime designed to increase the number of women serving in executive bodies at all levels. She also applauded the Government’s plans to establish quotas in legislative bodies. She wondered, however, whether sex-disaggregated data were available and whether any time limits had been set with regard to application of the quota system. In connection with job quotas for women, she pointed out that article 4, paragraph 1, of the Convention allowed for a whole range of plans and programmes, including affirmative action plans in the public sector, in order to increase the number of women in jobs. She inquired whether Uzbekistan planned to establish numerical goals and time-frames at all levels of public administration in order to enable women to move up to decision-making positions. Turning to the political arena, she asked for more information on the voting system. Finally, she recommended that the Government should apply article 4, paragraph 1, of the Convention, in a much broader range and variety of activities.

48. **Ms. Ferrer Gómez** asked what had been achieved as a result of the implementation of the National Platform for Action to Improve the Situation of Women in Uzbekistan and to Enhance their Role in Society. In view of the fact that to effectively fight deeply-rooted stereotypes, the involvement of both men and women was necessary. She wondered whether only women had participated in the 36,000 educational seminars held in Uzbekistan. The report submitted by the Government was replete with examples of deeply-rooted stereotypes, notably portraying women as mothers and homemakers. Nowhere in the report was there any mention of the need to explain women’s involvement in the workplace as a chance for them to develop professional skills and generally to contribute

to society. The report also stated that the majority of the unemployed were women, which seemed to indicate significant backsliding with respect to the status of women in Uzbekistan. While considerable progress had been achieved in some areas, customs such as dowry, early marriage of young women and polygamy persisted. The Government needed to undertake an intensive awareness-raising campaign to address those issues. Paradoxically, 50 per cent of those working in the media were women, yet the media contributed to reinforcing and perpetuating traditional attitudes. While she hailed the Government’s efforts to make the equality of women a reality in legislation, she believed that in order for the legislation to be effective, the Government would have to raise the consciousness of those called upon to implement and enforce the laws.

49. On the other hand, the Government had done a splendid job of translating the Convention and distributing it free of charge. In order to change patriarchal values, it would have to focus systematically, through all available channels, including through non-governmental organizations on education and awareness. In that regard, she would like to have specific information on the Government’s future plans with respect to educational programmes, the training of teachers and changing the image of women in textbooks.

The meeting rose at 1 p.m.