



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

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**Committee on the Elimination of Discrimination
against Women**

Pre-session working group

Thirty-sixth session

7-25 August 2006

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

Uzbekistan

The pre-session working group examined the combined second and third periodic report of Uzbekistan (CEDAW/C/UZB/2-3).

Constitution, legislation and national machinery

1. Although the Constitution recognizes in its preamble the priority of generally accepted international law, the status of the Convention in Uzbekistan is not clear. Is the Convention a part of the national legislation and directly applicable in Uzbekistan?
2. The report indicates that article 18 of the Constitution prohibits all forms of discrimination based on gender, ethnicity, religion and other characteristics, and article 46 guarantees women and men equal rights (p. 9). However, the report does not provide a clear picture of applicable legislation and remedies available to women for alleged violations of this guarantee. Please provide information as to whether any court cases have been filed by women who faced discrimination, and what administrative or other remedies are available to women victims of discrimination.
3. The report states that the Government has drafted an innovative law on guarantees of equal rights and opportunities for women and men and submitted it to Parliament (p. 9). Please provide information on the status of this legislation, its substantive provisions and enforcement mechanisms.
4. The report notes that the Institute for Monitoring Legislation in Force attached to the Oliy Majlis conducted a gender analysis of existing legislation in 1998 (p. 10). Please describe the findings of that analysis and recommendations and actions based on it.

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

6. The Committee, in its concluding comments in 2001, recommended that the State party restructure the national machinery for women in order to give it more visibility and strength and provide it with the necessary human and financial resources to effectively carry out its mandate.¹ The report notes that an Ordinance on additional measures to support the activities of the Women’s Committee of Uzbekistan was adopted in 2004, under which a standing committee was established to evaluate the protection of women’s rights, elaborate measures for ensuring women’s employment, ensure the implementation of acts protecting the rights and interests of women and implement measures aimed at enhancing the social and political participation of women (p. 8). Please describe in detail the findings of the evaluation undertaken by that standing committee, any recommendations made by it and measures taken by the State party as a result of the Women’s Committee’s evaluations and recommendations, and describe other steps taken to strengthen the national machinery.

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

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

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

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

¹ *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 38 (A/56/38)*, para. 175.

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

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

Participation of women in public life and decision-making

13. The report states that “the policy of increasing the number of women at the decision-making level is being carried out from the top downwards at all levels of government” (p. 16). However, annex 3 to the report shows that all levels of State administration are dominated by men (for example, 90.1 per cent men in the Oliy Majlis, 83.3 per cent men in the Cabinet of Ministers). The report also indicates that the Government is considering an amendment to the country’s election law that would lay down a 30 per cent quota for women nominated as candidates from political parties to government posts (p. 33). Please indicate the status of this amendment and also indicate other measures that are being taken to achieve women’s full and equal participation and representation at all levels of government, taking into account article 4, paragraph 1, of the Convention, and the Committee’s general recommendation 25, on temporary special measures, and general recommendation 23, on women in public life.

Violence against women

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

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

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

Trafficking and exploitation of prostitution

17. The Committee, in its concluding comments in 2001, requested that the Government provide more information on the situation of trafficking of women and

girls.² Please provide this information, especially data on the number of women and girls who are trafficked to, from and through Uzbekistan.

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

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

Employment

20. In its concluding comments in 2001, the Committee expressed concern about the absence of statistical data on wages disaggregated by sex.³ Please provide data on economic participation and wages, disaggregated by sex and economic sector, and information on women's participation in the informal sector.

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

Education

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

Health care

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

24. The report notes that the National Programme to Combat HIV/AIDS 2002-2006 was adopted in 2002 (p. 26). Please indicate whether and how this programme integrates a gender perspective and also provide information on the number of

² Ibid., para. 179.

³ Ibid., para. 182.

women currently infected with HIV/AIDS and the availability of antiretroviral medication and psychosocial services for women with HIV/AIDS and their children.

Marriage and family relations

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

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

Rural women and ethnic minorities

27. The Committee, in its concluding comments in 2001, requested more quantitative and qualitative data on rural women.⁴ However, the report provides no information about issues relating to rural women. Please provide detailed information on the health, educational and economic situation of rural women, as well as their political participation in decision-making.

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

Optional Protocol

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

⁴ Ibid., para. 190.