



# 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

Forty-fifth session

January-February 2010

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

#### Uzbekistan

The pre-session working group considered the fourth periodic report of Uzbekistan (CEDAW/C/UZB/4).

#### General

1. Please provide further information on the process of preparation of the fourth periodic report of Uzbekistan, including the involvement of the civil society in the process, and whether the report was adopted by the Government and submitted to Parliament.
2. Please provide information about the concrete outcome following the adoption of the National Plan of Action for the Implementation of the recommendations by the Committee on the Elimination of Discrimination against Women, which was approved in 2007.

#### Constitutional, legislative and institutional framework and status of the Convention, definition of equality

3. In its previous concluding observations, the Committee expressed concern about the lack of progress in the law reform process (see CEDAW/C/UZB/CO/3, para. 9). Please describe further steps taken by the State party since the consideration of the previous report in 2006 to adopt the four specific laws referred to in the concluding observations.
4. The State party report (paras. 5, 299, 302) notes that between 2006-2008 efforts were made to draft and adopt a law on guarantees of equal rights and equal opportunities for women and men. Please clarify whether this is a new draft or the draft already submitted to Parliament in 2004. If it is a new draft, please elaborate on what the differences are and when it is expected to be adopted. If it is the same



draft as in 2004, please expand on the obstacles faced in getting the draft law adopted. With respect to the draft law on equal rights and equal opportunities, please confirm whether it contains a definition of discrimination in line with article 1 of the Convention, encompassing both direct and indirect discrimination.

5. Please elaborate on the measures taken to make the Convention and the Committee's general recommendations an integral part of the legal education and training of judges, lawyers, prosecutors and law enforcement officers; also indicate what measures are taken to translate the Committee's general recommendations into the Uzbek language and widely disseminated, as recommended by the Committee in its previous concluding observations (para. 14).

### **Parliament**

6. In its previous concluding observations, the Committee encouraged the State party to involve Parliament in a discussion of the report before its submission to the Committee (para. 34). Kindly elaborate on such steps taken in this regard, and if none has been taken, please indicate the reasons why.

### **National machinery for the advancement of women**

7. Please clarify whether the Women's Committee has the status of a Government entity or non-governmental organization. Please also elaborate on the steps taken to strengthen the Women's Committee with necessary human and financial resources for coordination of the implementation of the Convention and the gender-mainstreaming strategy in all governmental policy areas, as recommended by the Committee in its previous concluding observations (para. 16).

### **Stereotypes and discriminatory cultural practices**

8. In its previous concluding observations, the Committee expressed deep concern at the persistence of patriarchal attitudes and deep-rooted cultural stereotypes regarding the roles and responsibilities of women and men in the family and society in Uzbekistan. The Committee also expressed concern that educational programmes developed under the National Plan of Action for the elimination of patriarchal attitudes within the family are targeted only at women and girls, and not at men and boys (para. 19). Please elaborate on the measures taken, including awareness-raising and educational campaigns, not only addressing women and girls but also targeting men and boys, and the community, spiritual and religious leaders, with a view to eliminating stereotypes associated with traditional gender roles in the family and in society (para. 20).

### **Violence against women**

9. In its previous concluding observations, the Committee expressed concern at the prevalence of violence against women, the absence of a specific law to protect women from domestic violence, and the lack of prosecution and punishment of perpetrators of domestic violence. The Committee also expressed concern that the State party did not provide information and statistics on the incidence and prevalence of various forms of violence against women (para. 21). Please provide information as to whether there is draft legislation on violence against women, the number of cases in the judicial system regarding domestic violence, and the

concrete steps taken to prevent and protect women from violence, and to prosecute persons responsible for committing acts of domestic violence.

10. Please also clarify what steps have been taken to implement the Committee's previous recommendations listed in paragraph 22.

11. Please indicate steps to ensure that all girls are protected from physical violence in all settings, including corporal punishment in alternative care settings/institutions, the family and in schools.

### **Trafficking**

12. Further to the Committee's previous concluding observations, in which it expressed concern about the persistence of trafficking and exploitation of women and girls (para. 25), and the present State party report's referral to the passing of a new law on combating human trafficking (paras. 7 and 395), please indicate the current status of the initiative referred to in para. 400, to bring the laws of the Republic of Uzbekistan into conformance with the provisions of the law on combating human trafficking. Please also elaborate on the concrete steps taken to implement the recommendations listed in paragraph 26 of the previous concluding observations.

### **Political participation and participation in public life**

13. Please clarify what is meant by paragraph 422 of the State party report which states that "measures are being taken to enhance the intellectual potential of women".

14. Further to the Committee's previous concluding observations in which the Committee expressed concern at the continuing underrepresentation of women in political and public life and in decision-making positions at all levels and encouraged sustained measures to be taken (paras. 23 and 24), please elaborate on the steps taken, including temporary special measures to accelerate the increase in the representation of women in decision-making positions in public and private sectors in Uzbekistan.

15. The State party report refers to self-governing bodies, the Makhallya, as the commissions providing support and protection for women and youth of different communities in Uzbekistan. Please indicate whether there are equal opportunities for women and men to be elected for the position of the Makhallya chair and the number of women who are members.

### **Education**

16. Please elaborate on whether pre-family and family education programmes run by the Makhallya committees include a component on women's rights, especially in the area of domestic violence.

### **Employment**

17. In its previous concluding observations, the Committee expressed concern at the persistence of a sex-segregated labour market with lower wages for women (para. 27). Please provide information on women in the informal labour market and the State party's efforts to modify the sex-segregation of the formal labour market,

including efforts to eliminate wage differences, as requested in paragraph 28 of the previous concluding observations. Please also indicate whether prohibition of sexual harassment in the workplace has been incorporated into national legislation and describe any enforcement mechanisms that exist in this context.

### **Health**

18. The State party's report states that the number of abortions per 1,000 women of childbearing age dropped from 8.4 per cent in 2002 to 6.8 per cent in 2007 (para. 519). Please provide information about the rate of abortion among teenage women and girls and the steps taken to promote sex education schools, including education on reproductive health, family planning and information about contraceptive methods.

19. The State party's report lacks information and data on the incidence and prevalence of life-threatening diseases among women, including elderly women and women with disabilities. Please provide information on the prevalence of HIV/AIDS, breast and cervical cancers, and mental health disorders among women. Also, the State party report indicates that the Cabinet of Ministers approved the Strategic Programme against the Spread of HIV/AIDS Epidemic in the Republic of Uzbekistan for 2007-2011. Please elaborate on the specific measures in the Programme to prevent HIV/AIDS among women and girls.

### **Rural women**

20. The Committee expressed concern that the previous State party report did not provide sufficient information about the situation of rural women in the areas covered by the Convention and noted particular concern at the low percentage of women's land ownership. Please provide comprehensive data on the situation of rural women in all areas covered by the Convention, including the causes for the low percentage of women, as compared to men, who own land, and on efforts by the State party to increase this percentage (para. 30).

### **Vulnerable groups of women**

21. Please elaborate on the type of work women in prisons may engage in, the level of salary they may receive and provide statistics regarding the employment status of women after serving their prison term. Please also provide information on the manner in which hygiene and sanitary conditions of women in prisons are monitored and whether they have been found compatible with general international standards. Please indicate if international organizations, such as the International Committee of the Red Cross, have been involved in the process of monitoring prisons.

### **Family relations**

22. Please elaborate on the steps taken to review and amend the relevant laws on the age of marriage and on the current status of the amendment of the Family Code with respect to the entry into marriage of children.

23. In its previous concluding observation, the Committee expressed concern that the formulation of provisions in the Penal Code prohibiting polygamy in the form of cohabitation in the same home may be interpreted as being permissive of polygamy

when not being practised in the same home (para. 31). Please elaborate on the steps taken to review and amend the relevant laws on polygamy.

24. Please indicate whether there have been any changes in the policy of universal social support for children up to the age of two years old. The State party report refers to social allowances for children (para. 331). Please clarify whether local self-governance bodies can decide which families may receive such allowance.

25. Please provide information on the type of property that is distributed upon dissolution of a relationship, and indicate, in particular, whether the law recognizes intangible property i.e. pension funds; severance payments; insurance. Please also elaborate on whether the Makhallya committees may impose a waiting period on a woman before she files for a divorce and whether there is a practice of courts requiring Makhallya committee permission before the court may accept a divorce application, including in cases of domestic violence.

#### **National human rights institution**

26. Please elaborate on the activities of the Human Rights Commissioner of the Oliy Majlis and the National Centre for Human Rights for the Republic of Uzbekistan in the area of women's rights. Please provide additional details on the cases received and dealt with by both institutions in the years 2006, 2007 and 2008 with respect to violence against women, domestic violence and discrimination against women and provide details of cases, including any court cases initiated as a result of the complaints made. Please also elaborate on how these two institutions collaborate with the Women's Committee of Uzbekistan.

#### **Non-governmental organizations**

27. Further to the State party's explanation of the legal status and regulations of activities of non-governmental organizations (paras. 77 to 85) and the establishment of a Committee on Democratic Institutions, Non-Governmental Organizations and Citizens Self-Government Bodies (para. 42), please elaborate on the registration procedure for women's non-governmental organizations, as well as on steps taken to review their funding criteria and practice, as recommended by the Committee in its previous concluding observations.

28. Please elaborate on the State party's use of the terminology "non-governmental non-commercial organizations" and how this differs from non-governmental organizations.

#### **Optional Protocol and amendment to article 20, paragraph 1**

29. Please indicate any progress made towards accession to the Optional Protocol to the Convention, as recommended by the Committee in its previous concluding observations. Please also indicate whether progress has been made towards acceptance of the amendment to article 20, paragraph 1, of the Convention relating to the Committee's meeting time.