
Uzbekistan's Implementation of the CEDAW

Responses to the List of Issues
CEDAW/C/UZB/Q/5

**Uzbek Bureau for Human Rights and Rule of
Law (UBHRRL)**
With the support of FIDH

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UBHRRL aims to promote and ensure the protection of human rights and assist in creating a democratic society in Uzbekistan founded on the rule of law. Since 2006, the UBHRRL has submitted a number of alternative reports to the United Nations Human Rights Council, and the treaty-based Committees for the ICCPR, CAT, CEDAW, and CRC.

Constitutional and legislative framework

1. In its previous concluding observations (CEDAW/C/UZB/CO/4, para. 10), the Committee urged the State party to accelerate the process of adoption of the law on equal rights and equal opportunities for women and men within a clear time frame. It is indicated in the report (CEDAW/C/UZB/5) that the draft law has been discussed and revised (paras. 31 and 32).¹ Please provide updated information on its current status, its content and the time frame for its enactment.

Initially the draft of the law on guarantees for equal rights and equal opportunities for women and men contained definitions missing in Uzbek law, such as direct and indirect discrimination, gender, gender equality, gender statistics, gender expertise and sexual harassment.

Unfortunately, up to the date this law was not adopted and the Parliament does not provide a clear time frame for the discussion and adoption of the law. Government is reluctant to adopt anyhow progressive laws on women's rights, as the promotion of such rights is contradictive to the State policy of preserving national values, which sees woman as subordinate to man, a housewife and mother.

National machinery for the advancement of women

3. In its previous concluding observations (CEDAW/C/UZB/CO/4, para. 15), the Committee expressed its concern that the Women's Committee of Uzbekistan, a non-governmental organization, had been designated as the national machinery for the advancement of women. Please provide information on the measures taken to establish a State machinery for the advancement of women with sufficient authority in the Government and adequate human and financial resources from the State budget to effectively promote the implementation of the Convention.

In practice, Women's Committee of Uzbekistan is fully governmental organization. Only the Charter of Women's Committee and some documents on its creation contain provision on "non-

¹ Unless otherwise indicated, paragraph numbers refer to the fifth periodic report of Uzbekistan.

governmental organization”. The organization headed by the Deputy Prime Minister; all regional representatives hold position in the local government.

The Women’s Committee of Uzbekistan was created by the initiative of the President of Uzbekistan in December 1991.² Later in 1995, President issued a Decree “On Increasing the role of women in state and public construction of the Republic of Uzbekistan”. Under this Decree the Chairperson of the Women’s Committee is at the same time a Deputy Prime-Minister, and the regional heads of women’s committees’ are the deputies of local governors.

The Women’s Committee works in practice works as an organization that helps to implement government policies related to women issues. According to a Charter of the Women’s Committee do not have any reference to eliminate discrimination, and provide equality between men and women. For example, it works on the following main directions:³

- Social and professional protection of women in transitional period;
- Reproductive rights and health protection; demography and environmental protection;
- Women employment, development of entrepreneurship, small and medium business among women;
- Development of women movement and integration to international movement.

In other words, the Women’s Committee does not have a right to work on elimination of discrimination against women nor on providing equal rights between men and women. As according to the Law “On Nongovernmental organizations”, NGOs have to strictly follow only the activities shown in its Charter. Thus, Women’s Committee is designed to work on empowerment of women, which seems to be understood by the state elite as gender equality, also, its activities are limited by objectives provided in its Charter.

The Women’s Committee itself strongly affected by stigma and stereotypes. In such manner on 20th May 2015, the Women’s Committee organized an even called “Let’s keep our Spirituality.” Among the topics discussed during this event were the stage costumes of Uzbek pop-singers Lola and Rayhon. The Chairperson of the Women’s Committee expressed her concerns that costumes and manners of famous singers Lola and Rayhon are contradictory to the national mentality of our people. Another issue that was raised at the meeting was that the new tendency that brides throw bouquet and dancing during the wedding party also contradicts our national spirituality.⁴

The national machinery on Advancement of women rights is itself a watchdog of so-called spirituality, national mentality and values. Otherwise it is a watchdog of stereotypes putting woman to a strict frames on how she should behave in the society, what to wear, how to act, and etc. In terms of implementation of CEDAW, the Women Committee works only on the certain “safe” areas allowed by the government – such as early marriages, maternity and child protection, preventing women from joining religious extremist organizations.

² Active participants of great creative work - http://uza.uz/ru/politics/aktivnye-uchastnitsy-velikoi-sozidatelnoi-raboty-25.01.2013-22082?ELEMENT_CODE=aktivnye-uchastnitsy-velikoi-sozidatelnoi-raboty-25.01.2013-22082&SECTION_CODE=politics&print=Y

³ Women’s Committee of Uzbekistan website <http://womancomitet.narod.ru/rus.htm>

⁴<http://1news.uz/ru/kultura/v-komitete-zhenshhin-obsudili-povedenie-izvestnyih-pevits-rayhon-i-lolyi/>

In addition, in its work the Women's Committee refrains from using gender related internationally accepted terminology, like gender equality, discrimination, domestic violence, sexual harassment, etc. It is designed to work on advancement of women and women issues, which are being presented to the international society as gender equality issues. While in reality for the perception of male elite in power women's issues are mostly around child and maternity protection. Women's Committee being under the strong control of the government is forced to work on such so-called "safe" for the authorities topics. In practice the Women's committee was widely viewed as ineffective and at times even obstructed the work of NGOs promoting women's rights.⁵

Non-governmental organizations

4. Following the adoption of a presidential decree in 2013 and a resolution of the Cabinet of Ministers in 2014 facilitating the registration and functioning of non-governmental organizations, please provide information on the impact of those decisions on women's non-governmental organizations, in particular the number that are registered in the country, the level of State funding that they receive and their areas of work.

The situation with non-governmental organizations and women human rights defenders is deteriorating from year to year. The draconian legislative measures adopted starting from 2003 made the work of independent NGO next to impossible. Government created numerous tools and mechanisms to control the work of NGO and prevent any activities and publications it believes to be inconsistent with the policy it carries out.

It should be noticed that the government often uses rhetoric before the media and international society about civil society importance in building democratic society, and time-to-time, it makes window dressing amendments on NGO laws. For example, in December 2013, the government adopted new presidential Degree on NGOs. The new by-law amends the previous instructions on registration of NGOs such as: a) slightly drop on registration fees; b) reduction registration time for one month; c) makes distinction on dissolution procedure compare with other business organizations that as obligatory by the Article 53 of the Civil Code of Uzbekistan.

These amendments were symbolical, and did not changed cumbersome procedure of the registration of the NGOs. For instance, according to the following adopted Regulation #57 -- on State Registration of Non-Governmental Organizations -- from March 2014, requires collecting 35 documents and for minor to register non-governmental organization. Furthermore, all Oppressive Laws that have been adopted since 2004 in Uzbekistan were not abolished; please see the **Attachment 1**, for future information on such NGO laws.

Moreover, these amendments have not brought any positive changes of the government toward the independent NGOs de-facto. Mainly, its autocratic policy that maintains control over the whole civil and political life has not been changed. Furthermore, women activists are intimidated, harassed, and punished.

⁵ US State Department report on human rights <http://www.state.gov/j/drl/rls/hrrpt/2007/100623.htm>

On 31st May, 2015, Mrs Elena Urlaeva, human rights defender was detained by law enforcement officials while she was collecting information on forced labour on cotton fields in Chinaz (Tashkent oblast, Uzbekistan). They withdraw her laptop and photo camera as she was taking pictures of people forced to work and tortured her.

According to Elena Urlaeva, one of the militia officers bit to her head and demanded to tell where she had hidden photo camera's memory card. Other militia officers shouted and insulted her calling "USA agent" and betrayer. Militia officers called doctors who injected Elena and she felt weakness. Elena was undressed and forced to vaginal examination, proposedly to find the memory card. This examination was done twice and resulted in bleeding. Also Elena had rectal examination. Afterwards militia officers took Elena to the local hospital where X-ray was conducted. When Elena Urlaeva asked to go to the toilet she was forced to urinate right to the grass-plot of the hospital. Militia officers were taking photos of the process and threatened with publication of photos to Internet if Elena dares to complain on humiliating treatment. ⁶

On August 16, 2015 Ms. Urlaeva set off for the central hospital of Tashkent, where she planned to demand fair treatment for the activist Malokhat Eshonkulova. The national security service has apparently denied access to medical facilities to Ms. Eshonkulova, a former state TV journalist fired for exposing corruption and then an activist with the Birdamlik political movement who has suffered from an undiagnosed illness since 2013.

As Ms. Urlaeva exited the Buyuk Ipak Yuli metro stop, police attacked her, kicked her leg, arrested her, and took her to the police station in the Mirzo Ulugbekskogo district of Tashkent. Police officer Ilyas Mustafayev proceeded to confiscate from Ms. Urlaeva 200 pamphlets that explained national laws prohibiting forced labor. Ms. Urlaeva had begun to carry and distribute the pamphlets, published by the Uzbek-German Forum for Human Rights, earlier this summer.

After the police detained Ms. Urlaeva for seven hours, she left with her husband and proceeded to a medical clinic, where doctors treated her for high blood pressure and applied a plaster cast to her injured leg. Not content with their actions thus far, the police then arrived at Ms. Urlaeva's home and demanded her husband provide a false statement about the cause of her injuries.⁷

Temporary special measures

5. The report is silent about temporary special measures applied during the reporting period. Please provide specific examples of such measures, their inclusion in national policies and programmes and their concrete implementation, with a view to promoting and accelerating the realization of substantive equality between women and men.

Temporary special measures are necessary to ensure de-facto equality between men and women in spheres of education, employment, political, and public participation of women. Considering the fact that state provides incentives during university enrollment to male applicants, having served out 1 year of military training, it is necessary to introduce similar supports for girls with other types of training or vocational works. Furthermore, it is necessary to introduce preferential financial instruments to girl students to support their education if enrolled on the paid basis.

⁶ Sexual Violence against Human Rights Defender - amnesty.org.ru/ru/2015-06-06-uzbekistan/

⁷ Uzbek Police Assault Human Rights Defender Elena Urlaeva Again
<http://www.cottoncampaign.org/blog/uzbek-police-assault-human-rights-defender-elena-urlaeva-again>

Temporary special measures need to be adopted in promotion and development of women leadership. In this situation the quota of 30% of de-facto women representation in State elective organs can play important role. Current law “On Election to OliyMajlis” provides the 30% quota for the nominees from the political parties only at the Parliament level. However, nothing similar is provided at the level of elections to the district, regional and city councils.

Gender stereotypes

6. *The Committee, in its previous concluding observations (ibid., para. 19), expressed its concern at the persistence of patriarchal attitudes and deep-rooted stereotypes regarding the roles of women and men in the family and society. Please provide information on the implementation and monitoring of existing measures, as well as any other measures taken since the submission of the report, to counter stereotypical attitudes towards women and girls, including those who experience multiple forms of discrimination on account of their ethnicity, age, disability, sexual orientation and other characteristics.*

Stereotypes, including an open recognition by the member-state of the fact that the primary duty of women is to bring-up children, take care about family members and preserve moral principles of society pose a serious obstacle to the realization of provisions of the Convention and are the major reason for an unequal state of women in many regions.

In today’s Uzbek society, women are suffering from violations of their rights to a greater extent than men, regardless of the declaration on gender equality that exists in the 1992 Uzbek Constitution. The reason for this is that the women role in the society is taken by the state as a vital part of national culture, opposed to the expansion of western gender equality ideas with its “perverse” influence on “tender and modest, highly moral oriental woman.” Therefore, “The Program on increasing national spirituality and protection from ideas and phenomena alien to our people’s mentality and way of life” was adopted in April 2009. Early marriages, polygamy, domestic violence are interpreted as woman protection, or otherwise as a punishment she deserved for not respecting patriarchal patterns of behavior.

A significant contribution to preservation of discriminative norms and practices is made by state mass media, which widely multiplies traditional values and gender stereotypes, and propagates among the public. Media reflects the official policy. Such policy does not contribute to respect of women’s dignity, self-esteem, social activism, professional growth, and in the end leads to justifying women’s human rights violations.

Violence against women

7. *It is indicated that, at the time of the preparation of the report, a framework for a law on the prevention of domestic violence had been developed and submitted to the parliament (para. 95). Please provide updated information on the current status and the content of the bill, in particular whether the crime of marital rape is addressed therein and whether individuals accused of domestic violence will be prosecuted ex officio.*

The problem of domestic violence remains urgent in Uzbekistan as being continuously silenced by the Government. The draft of the Law on Domestic Violence has been lost in the governmental offices for several years already. It is even not included in the agenda of the Parliament for the nearest future.

Domestic violence remains common in Uzbekistan, and it has all possible forms, including physical, sexual, psychological, economic and emotional abuses. The criminal law provides punishment for in general cases of physical abuses, which in turn not considering peculiarities of crimes conducted as domestic violence. Moreover the government continues the policy of terminology substitution, the literal translation of “domestic violence”, “gender”, “discrimination” are not used in the official vocabulary. Instead, “family conflicts” wording is being offered, which is perceived by people as something private, normal and natural like the notion of family itself. This combination blurs the extent of domestic violence in Uzbek society, perpetrators are assured it is normal, while victims see no way out of it.

Similarly, marital rape as such is not addressed by Uzbek legislation although the Criminal Code prohibits rape, and includes provision for “close relative”. However, the mentality and cultural norms does not allow woman to speak openly about violence and rape in the family. Not a single court case, when a woman trialed we know her husband for the marital rape.

Women suffering from domestic violence are often reluctant to go to police due to the mentioned cultural norms and absence of the comprehensive campaign against domestic violence carried out by State and nongovernmental organizations. The absence of terminology creates an institutional effect on the ground. No terminology – no problem existent – no funding and resources needed to be allocated to deal with it. Thus it is urgent to have the law adopted and implementation mechanisms working for it.

Law enforcement officials have no training and skills on dealing with the domestic violence issues. Domestic violence is widely perceived by them as a family issue, a private conflict that should not be intervened. Furthermore, only physical and sexual abuse can be punished by existing criminal law, while psychological and emotional violence remain out of coverage. In addition, law enforcement officers are even averse to register complaint on domestic violence as it harms their crimes statistics.

While, the Criminal Code of Uzbekistan allows ex-officio actions, at the same time, according to the law, victim joint persecution must support that persecution. There is no law that protects victims when they report domestic violence case to the police, and during the criminal procedures.

Domestic violence often becomes a reason for a suicide and for many years the local women rights NGOs in the country recorded large number of women attempted or committed suicide. According to a data from 2001 every year 500 women kill themselves, mostly because of family problems and as a response to the inability to find relief from the abusive situations.⁸ During the years 2001/ 2002, the prosecutor’s office of the Republic of Uzbekistan reported that the number

⁸Minnesota Advocates for Human Rights, *Domestic Violence in Uzbekistan*, footnote 12, 13.

of suicide attempts of women was 1150.⁹In 2011 World Health Organisation reported 1551 suicide deaths in Uzbekistan.¹⁰ Although this statistics include both sexes, at least one quarter of this figure belongs to women, it can be surely said, that in patriarchal society as in Uzbekistan, the majority of women suicide cases are caused by family problems. The following suicide case of Gulmira Malikova- young woman from Samarkand region of Uzbekistan, who put herself fire, from December 2014, can be an example that supports our assumption.¹¹

On December 14, 2014, twenty seven years old woman committed a suicide. Mother of two, GulmiraMalikova, lived in Robot village, Kushrabort rayon of Samarkand oblast. She spilled petrol over herself and burned after a conflict in her family. Apparently, Gulmira had a conflict with her parents in law after which she committed a suicide. All attempts to save her were useless, she died.

Domestic violence against women continues, in the majority of cases the woman seizes to believe in protection and justice and gives up the idea of divorce. Woman realizes that she should tolerate domestic violence for the sake of family and children in order not to make them orphans and avoid stigmatization of a divorced woman status in the society.

8. *It is indicated that, according to the results of a survey conducted in 2011, only 46.2 per cent of women who were victims of violence had turned to law enforcement authorities for assistance, while 27.7 per cent had asked for help from their relatives and 17 per cent from citizens' self-governing bodies (makhallya) (para. 97). Please provide information and data on the number of complaints filed during the period under review and the number of prosecutions, convictions and sentences imposed, indicating the relationship between the victim and the perpetrator. Please provide information on measures taken to remove any impediments faced by women who are victims of violence to gaining access to justice. Please also provide information on the number of shelters in the State party and the nature of their funding*

Access to Justice of domestic violence victims is complicated mainly by two reasons: a) primarily, law enforcement is often reluctant to accept complaints on domestic violence. b) also, by the lack of adequate legislation and training of law enforcement officers. Even if the complaint is accepted women-victims of domestic violence have no or little access to the qualified legal services. State provides legal aid only in the criminal cases to the perpetrators, while no aid is provided to victims and in cases of civil and administrative nature, for example, divorce, division of property, children guardianship, requesting alimonies, and etc. Women usually have lower financial resources than their husbands, and thus, being unable to afford qualified legal aid, and as the result she is in weaker position in Courts. The last, the NGOs that was officially providing legal aid in Uzbekistan for women and children, victims of domestic

⁹UBHRR and OMCT Report to the UN CAT Committee, UZBEKISTAN: Torture and Cruel, Inhuman and Degrading Treatment Recommendations for Dealing with their Economic, Social and Cultural Root Causes, Geneva, November 2007

¹⁰World life expectancy Index, Uzbekistan Suicide Index, available at: <http://www.worldlifeexpectancy.com/uzbekistan-suicide>

¹¹Radio Free Europe/ Radio Liberty, Uzbek section-Ozodlik, Mother of two burned herself in Uzbekistan available at: <http://actualnews.org/obshestvo/34939-mat-dvoih-detey-v-uzbekistane-sozhgla-sebya.html>

violence - the Legal Aid Society of Uzbekistan, was forced to close back in 2005. Not a single NGO is providing such defense in Courts and administrative bodies. Some other state-funded NGO attempted to have a certain level of legal counseling, but their activities were limited by the state agencies in attempt to silence the problem of violence against women and children.

In addition, few women NGOs running shelters in Uzbekistan were closed since 2005. Government does not run shelters for victims of domestic violence. All independent NGO were closed in Uzbekistan under the different reasons, including shelters for victims of domestic violence and no state-shelters are operating currently.

Trafficking in women and girls and exploitation of prostitution

9. *It is indicated that the State party adopted action plans for 2011-2012 and 2013-2014 to increase the effectiveness of actions to suppress and counter human trafficking (para. 109). Please provide updated information on their implementation and indicate whether they have been extended beyond 2014. Please also provide information on the current status of the draft resolution of the President on the creation of a fund to provide assistance to victims of crime, which is mentioned in paragraph 118. Please also provide information and data, disaggregated by age, on women and girls who have been victims of trafficking, in particular on cases of trafficking of girls below 18 years of age. Please also indicate the legal framework that is applied to women involved in prostitution.*

Under the slogans of combating on women and girls trafficking, the government introduced new regulation, according to which all women from 18 to 35 years old are obliged to provide father' or husband's written permission to apply for the Exit Visa in 2011. In this written permission father or husband has to guarantee that his wife or daughter will not be involved in prostitution or other illegal activities while travelling abroad.

It should be also stated that the practice of Exit Visa itself is not only contrary to the international norms of human rights, but also contradicts domestic legislation, as the Article 28 of the Uzbekistan Constitution states: "The citizens of the Republic of Uzbekistan shall be eligible to free movement on the territory of Uzbekistan, entry to and exit from the Republic of Uzbekistan with the exception of restrictions determined by the statute law."

This discriminatory and humiliating practice against women is completely ineffective in terms of preventing trafficking in women and girls and only puts women in more dependent position from their fathers or husband. The following clearly shows the ineffectiveness of this policy. The Exit Visa is a sticker in Uzbekistan citizen's passport allowing exiting the country and travel abroad, given for two-year period. After two years one has to re-apply for the new sticker. Once Exit Visa issued no one can guarantee that a woman will not be trafficked at any time within the two-year period of the sticker validity.

Another issue that is also important to mention is that Uzbekistan is a member of Commonwealth of Independent States and its citizens can travel without visa to other countries of CIS and the exit visa is not needed also. So women and girls can be trafficked to the CIS

countries freely and introduction of the requirement to have written permission of father or husband is having no effect on trafficking in general.

Exit Visa is also used as a tool to prevent or complicate human rights defenders and political activists to travel abroad. For example, in 2015, a human rights defender, member of Human Rights Alliance of Uzbekistan, Elena Urlaeva was banned from travelling to South Korea to receive her award given by Korean TjiHak-Soon Fund.¹² Forum 18, organization working on religious freedom reported the denial of exit visa to Natalya Kadyrova, who was the wife of the pastor of a Protestant congregation in the capital Tashkent and it appears that the Exit Visa denial is a punishment for her religious activity.¹³

In addition, government adopted a new regulation on Exit Visa in July 2011. According to the Para – z of this Regulation states, if in relation to the person, Ministry of Interior, Ministry of Foreign Affairs have information from respective organs that this person while being outside of the country breached the law on that country (the list of offences is determined by respective organs) and also have information, showing inexpediency of exit, until two years from the moment of taking to the list.

In other words, without a legal investigation based on the closed decision of officials, State arbitrary limits person's freedom of movement. Mainly this provision is being used against activists to silence their voices while travelling to the meetings, conferences and making speeches at different platforms on what is really happening in Uzbekistan.

Participation of women in political and public life

10. Please provide information on measures taken to fulfil the 30 per cent quota for women in the parliament (16.5 per cent in 2015) and on any measures and sanctions for political parties not respecting those quotas. Please provide information on specific measures, including temporary special measures, to promote women to executive positions in the Cabinet of Ministers (6.5 per cent), in the judiciary (13 per cent) and to senior positions in the foreign service (8.2 per cent), including as ambassadors and heads of missions abroad (3 per cent). Please also provide information on specific programmes and civil service training to promote women's participation in political and public life. Please also provide information on the level of women's participation in elections as voters

According to the law "On Parliament Elections of the Republic of Uzbekistan," all political parties have right to nominate candidates for elections to the parliament of Uzbekistan, and the Article 22 of the law entails that the number women in list of candidates should not be less than 30%. Law does not provide de-facto 30per cent quota in the parliament for women, but only requires having them in the list of candidates. For this reason, the actual number of women elected to Parliament and Senate is much lower than stated 30 per cent.

¹²Alliance managed to send their representative to Korea for award.

<http://www.ozodlik.org/content/article/26893725.html>

¹³UZBEKISTAN: How many religious believers barred from travelling?

http://www.forum18.org/archive.php?article_id=1264

There are number of reasons for underrepresentation of women in branches of power. Firstly, lack of leadership policy and training programs for women on this issue. The official institution on educating public leaders for in various branches of national economy and politics is the Academy of State Construction under the President of Uzbekistan. According to our interviewee, working in this institution, the female students are underrepresented in that institution.¹⁴ Official gender disaggregated statistics on that institution is not published in Media or web-sites. There is no gender related syllabus in the curriculum of the Academy as well as gender is not a crosscutting or mandatory approach in any of the subjects taught in the Academy.¹⁵

Secondly, the stereotypes and patriarchal norms existing in the society limit the role of women to being housewife and mother. The endeavor of women for career development and leadership is not welcomed, as it contradicts the norms shown in the “Program on preserving spirituality and preventing hostile to the national culture phenomena and activities” such as pudency and morality, interpreted by common people as attributes of women being shy, modest and in no way take the tasks of a leader.

Thirdly, the possible platform for leadership development of women is participation and management of nongovernmental organizations. However, this chance is simply being lost as civil society work is seriously hampered by the campaign against NGO that have been started since 2004. The Government sees NGO as opposition and threat to its power for the ability to criticize and question policies carried out by the State.

It is obviously that the window-dressing measures taken by the government to increase the status of women are ineffectiveness. The government’s purposeful policy is driven to reviving national values where women are limited to be active, only, in the family frame. It is a hard process the existing gender imbalances in the power systems because of the lack of political will to do so, as well as the existing authoritarian power. To open up and name the issue is directly connected with the democratic developments of institutions, as well as political culture of the society, which actually lacks in the country.

Education

11. It is acknowledged that there is a difference in the ratio of girls and boys in terms of types of special secondary and vocational training institutions attended and in their enrolment in higher learning, baccalaureate programmes and master’s programmes (paras. 189 and 192). Please provide information on the measures taken to combat gender stereotypes at all levels of the education system. Please also provide information on the impact of the harmful practice of early marriage on dropout rates for girls and measures taken to address the issue.

The difference in the ratio of girls and boys in different levels of education is generally explained by either willingness or unwillingness of families to invest in their daughters who traditionally leave their family to husband’s in future, or in sons who will be breadwinning for parents in

¹⁴ Uzbek Bureau for Human Rights and Rule of Law interview, November 2014

¹⁵ Ibid

future. These beliefs are highly affected by stereotypes on the traditional role of woman in Uzbek society. The Government promotes the idea of a traditional woman – a shy and modest housekeeper and mother, where having a diploma of higher educational institution is not necessary and furthermore, it is men who should be taking care of earning finance and doing career.

This tendency is clearly seen in statistical data provided by the Government. Graduation of girl students from higher educational institutions is decreasing significantly, if in 2010-2011 educational year the graduation ratio was 41.1% of girl students in 2013-2014 educational year out of total students graduated from the universities only 38.1% were girls of Uzbekistan.¹⁶

Seeming gender balance in secondary educational institutions is explained by the compulsory notion of 12 years of secondary education¹⁷, which includes lyceums and vocational. Thus parents are obliged to send their daughters to colleges or lyceums.

Tuition fees significantly growing on the annual basis affects the choice of parents whether to educate their daughters in prestigious professions. For, instance, in 2015, the state announced 15 percent increase in tuition fee of higher education institutions. For specializations like teaching, pedagogy, humanitarian subjects, social services, engineering and etc universities tuition fee is 5 800 000 Uzbek soums (which represents approximately 1300 USD).¹⁸For more prestigious universities – law, international economic relations and business the cost of education is 8 550 000 Uzbek soums (1900 USD).¹⁹

Considering the fact that the minimal monthly salary in Uzbekistan is around 26 USD²⁰, and thus, parents prefer to invest less to their daughters and rather educate them in although low-paid but less resource requiring professions, such as sewing or hairstyling and other. Moreover, State does not provide effective and not costly financial instruments that parents can use to educate their daughters. Contrary, incentives at enrollment are provided to boys who completed 1 year military service in Uzbek army. Military services awards 40 points in addition to the gained during entrance examination.

12. Please provide information on measures taken to address the concentration of women in the traditionally feminized field of education (indicated in para. 193 as the preference of 72.6 per cent of female students). Please also provide information on the measures taken to provide women and girls with access to education facilities, as it is also stated that the choice is affected not only by economic factors and family traditions, but also by the location of educational institutions (para. 189)

¹⁶ Graduation of Specialists from higher educational institutions according to gender and specialization in **2007/2008-2012/2013**, available at:<http://gender.stat.uz/index.php/osnovnye-pokazateli/obrazovanie/vysshee/159-vypusk-spetsialistov-vysshimi-obrazovatelnyimi-uchrezhdeniyami-po-polu-i-vidam-obucheniya-v-2007-2012-godakh>

¹⁷Resolution of President of Uzbekistan “On measures of providing further education to the graduates of 9th class of schools in remote areas of Uzbekistan”

¹⁸ Ministry of Higher Education information - <http://edu.uz/media/a4fff933-28fb-e4fa-6c61-df659a9a4119.PDF> amount in US dollars is calculated by the black market rate, as official Central Bank rate is not freely available for the citizens of Uzbekistan.

¹⁹ Ibid

²⁰ 118 400 soums, starting from 15 December 2014, according to President’s Decree, which is currently in August 2015 is 26 USD by the black market rate of 1USD = 4600 soums

No effective measure to combat gender stereotypes in education is being taken. Furthermore, the education in schools still divide girls and boys for learning practical skills at Labourclasses, where girls are taught culinary, sewing and other “female” associated skills, while boys do woodworks, joinery and military training in cadet corpus.

This tendency is reflected in higher educational institutions. There are no comprehensive programs to eliminate gender inequality in education system. The effect of gender stereotypes is best seen in gender statistics on choosing profession in secondary and higher educational institutions. Families prefer educate their girls in more “female” sectors such as: sewing, teaching, or nursing. For instance, in academic year 2011-2012 female students enrolled in pedagogy sector were 67.5%, healthcare and sports 10.5%.²¹ In the same years, the better-paid sectors such as economy and law, gender representation was following: 19.9% female students compared to 80.1% male.²²

Also, in certain educational institutions, such as the Suvorov military school there is a provision to enroll only boys. Militarized services of Uzbekistan include following government agencies: Ministry of Defence; Ministry of Internal Affairs and Ministry of Emergency situations. The following educational institutions specifically train personnel for above-mentioned agencies:

- Tashkent Academy of Militia;
- Institute of National Security Services;
- Tashkent Higher All-Troops Command College;
- Djizak Higher Military Aviation College;
- Samarqand Higher Military Automobile Command Engineering College;
- Chirchik Higher Military Tank Command Engineering College;
- Special Faculty of Tashkent University of Information Technologies;
- Military- medical faculty under Tashkent Medical Academy.

Although no official statistics available, according to our information, the enormous majority of students in these institutions are male.

Employment

13. It is indicated that, among all job openings in the State party, only 40 per cent are intended for women (para. 194) and that, in 2012, women headed 40.4 per cent of small enterprises and only 13.7 per cent of micro-businesses (para. 197). Please clarify whether there are prohibitions and limitations on jobs for women in the State party. Please provide information on measures taken to address the underrepresentation of women among entrepreneurs. Please also provide information on the availability and affordability of childcare facilities to allow women to reconcile work and family life.

²¹State Statistics Committee of Uzbekistan Distribution of Students in higher educational institutions according to spheres in 2007/2008-2012/2013, available at:<http://gender.stat.uz/index.php/osnovnye-pokazateli/obrazovanie/vysshee/158-raspredelenie-studentov-vysshikh-obrazovatelnykh-uchrezhdenij-po-otraslyam-v-2007-2008-2012-2013-uchebnykh-godakh>

²² Ibid

The CEDAW requires development of supporting social services to enable parents to combine family obligations with work, and participation in public life, in particular, through requirement to promote establishment and development of a network of child care facilities.²³ State Report to this Committee states that there are 4950 child-care facilities function all over the country, with 581, 539 children. It should be emphasized that State itself recognizes that it is only 23.3% of children of 2-7 years old.²⁴ In the capital city of Tashkent, existing child care facilities are so highly overloaded, that in one group there could be 35 to 50 children, however, according to Sanitary rules of Organization and Maintenance of Child care Facilities in Uzbekistan, the maximal number of children in one group cannot exceed 20.²⁵

Moreover most of childcare working hours are from 8.00 to 17.00, while in majority of cases working hours at offices end at 18.00. Such situation forces women to choose either not to work or study, or to look for flexible work hours or home-based work. It should be mentioned that the number of pre-school is not sufficient, and available ones are predominantly located in urban area, while in rural area women practically have minimum opportunity to put her children to the pre-school institutions. For example, in Surhandarya region of Uzbekistan, childcare institutions cover only 11.6% of children aged from 3 to 7.²⁶ These factors make women less competitive in the labor market than men. In addition they are paid less and frequently underemployed.

14. Please provide information on any steps taken to give full legislative effect to the principle of equal pay for work of equal value and detailed information on specific legislation prohibiting sexual harassment in the workplace, as recommended in the Committee's previous concluding observations (CEDAW/C/UZB/CO/4, para. 33). Please also provide detailed information on measures taken to support and protect the high number of women who are employed in the informal sector

Definition of sexual harassment as such is not provided in Uzbek legislation. The Criminal Code contains provision on "forcing woman into coitus" when victim has subordination-based relations with the perpetrator. However, considering that sexual harassment is much broader, women in Uzbekistan can only complaint against the actual act of forcing into coitus, while they are unprotected against other unwelcome sexual advances, requests for sexual favors, and other verbal or physical harassment of a sexual nature.

Labour Code of Uzbekistan provides prohibition of discrimination in labour relationships by article 6. However, the direct reference to provision of equal pay for work of equal value is not provided by Uzbek legislation.

Informal employment of women

Informal employment of women leads to the number of negative consequences. Primary, being illegally employed means that women are not protected from the different types of abuses,

²³ Article 11 (c) Convention on Elimination of All Forms of Discrimination against Women.

²⁴ Uzbekistan Government Fifth Periodic Report to UN CEDAW, CEDAW/C/UZB/5

²⁵ Sanitary rules of Organization and Maintenance of Child care Facilities in Uzbekistan as of 2007 <http://med.uz/download/files/sanpin/0241-07.pdf>

²⁶ Ibid.

including economical, physical, and emotional. Moreover, women employed in informal sector do not secure future pension, as necessary payments are not being made to the state budget.

There are different reasons for growing number of women being employed in informal sector. Primary factor is the general bad economic situation in the country. Labour forces are growing comparatively fast, while the job places are not being created adequately to this rise. Moreover, unfavorable environment created for foreign investors, especially those who work in import-consuming sectors. Although the Government of Uzbekistan declares that attracting foreign direct investment is a core priority in its policymaking, in practice foreign investors have limited business opportunities in Uzbekistan without support of the government or entities affiliated with the state.²⁷ Moreover, government limits activities of foreign investors by controlling access to the foreign exchange.

The raider policy of Uzbek politics against foreign investors and their crackdown campaign against several large and medium Turkish investors, Russian MTS, Denmark's Carlsberg Uzbekistan, the British company Oxus Gold and others, also added to the negative image of Uzbekistan. It should be noted that the majority of Turkish businesses were textile oriented and thus large number of women lost their jobs due to this policy.

Another significant factor affecting low economic development and hindering progress in all spheres is extremely high level of corruption. According to Transparency International Corruption Perception Index in 2014 Uzbekistan was ranked as low as 166 out 175 countries.²⁸ On one hand foreign investors refusing to pay bribes to officials face numerous obstacles in doing business and creating official job places. On the other hand, high corruption levels in Uzbekistan assume large amounts of illegal income – i.e. undeclared, thus making employers not interested in registering labour relations into official contract in order not to reveal criminal revenues.

Furthermore, payroll taxes are the highest in the region.²⁹ Entering into official contract employers have to pay income taxes, pension and other security charges and contributions, making these payments almost 100% of employee's salary, this doubling the cost of official labor.

Propiska, the residence registration system inherited from the Soviet Union times and being strictly maintained in Uzbekistan also effects informal employment in Uzbekistan, especially the capital city Tashkent. Considering that labor force in large cities are generally more qualified and require higher payments, employers prefer to hire rural women. However, due to the absence of permanent Propiska they cannot be officially employed in large cities.

Employment of women in informal sector is not protected and secured by the state. Women employed informally are easy subjects to abuse and violence. Pensions³⁰, sick leaves and holiday leaves are not provided, also both international and domestic laws secure them for official employment.

²⁷ 2013 Investment Climate Statement <http://www.state.gov/e/eb/rls/othr/ics/2013/204758.htm>

²⁸ <https://www.transparency.org/cpi2014/results>

²⁹ 2013 Investment Climate Statement <http://www.state.gov/e/eb/rls/othr/ics/2013/204758.htm>

³⁰ Unofficial employment is not included to record of work, which should be at least 20 years for pensions, otherwise persons receives minimal elderly allowances, which are far below from providing adequate living standards.

Maternity law

In accordance with the President of Uzbekistan Resolution as of 22.12.2009 “ On Prognosis of Main Macroeconomic Indicators and Parameters of the State Budget of the Republic of Uzbekistan for 2010” the new order of paying maternity allowances was introduced. From this on³¹, paying maternity an allowance is under the responsibility of either budgetary organization if woman works on such, or they should be paid from the private enterprises’ own resources, if woman is employed in such sphere. This is a strong discouragement for private companies and businesses to employ a woman at maternity age and moreover does not give any incentive to train and promote woman to higher level positions as maternity allowances are calculated on the basis of working period and salaries paid before leave.

Forced labour on the cotton fields

According to our observations, Women are forced to pick the cotton during the harvest on the yearly basis more than men. This is mainly explained by the fact that state primary forces those who are employed in the organizations financed by state budget. These are mainly hospitals, polyclinics, university, colleges and schools; and in this organizations majority of employees are women and girls.

Yet, it should be stated that women are offered a choice, either to pay a bribe (according to different sources up to 200USD per month) or go picking cotton. Authorities use different threats to force people picking cotton: dismissal from the job place, for students – dismissal from university or college. Businesswomen are threatened with tax and administrative check-ups and punishments. Women receiving any kind of allowances are threatened with abeyance of payments. There are number of incidents during the cotton harvest, people are injured and even killed.

In Tashkent oblast, 5 months pregnant women is forced to work on the cotton fields, mahalla officials are threatening her with rejection to pay child allowances if she refuses to go cotton picking.³²

On 22nd September 2013, in Karakalpakstan (north-west part of Uzbekistan), girl student of the medical college, Malika, committed suicide after public humiliation by her teachers during the cotton campaign.³³

In 2013, Kashkadarya oblast (southern part of Uzbekistan) 16 years old girl student died as a result of contact with not isolated electrical cabel.

In the same year, 6 years old boy died being pressed down by cotton pile. His mother took him to the cotton field, as there was no one to take care of the boy.

Women was forced to go cotton picking and left her children home, her husband was a work migrant in Russia. Her 5-years old daughter and 3 –years old son died as a result of carbon gassing.³⁴

³¹ This regulation was introduced for one year, however, every year after it is being prolonged to the next year.

³² Uzbek Bureau for Human Rights and Rule of Law, interview 2015

³³ <http://lenta.ru/articles/2013/11/04/cotton/>

³⁴ http://www.vb.kg/doc/292380_hlopok_zakonchilsia_kto_otvetit_za_smerti_zybekskih_hloporobov.html

15. *It is indicated that a bill on migration has been submitted for consideration to the Cabinet of Ministers and that the State party considers that it would be premature to accede to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families before the adoption of the law (para. 212). Please provide updated information on its current status and on measures taken to protect the rights of women migrant workers.*

The majority of work migrants from Uzbekistan travel to Russia looking for better-paid jobs. According to Russia's ambassador to Uzbekistan, there are about 3 million Uzbek labor migrants in Russia, the most from any Central Asian country.³⁵ In 2013, the remittance from migrants is unofficially estimated to be at the value of roughly a quarter of Uzbekistan's GDP.³⁶

According to information of Russian Federal Migration Services (FMS) 388,440 women from Uzbekistan were officially working in Russian Federation.³⁷ Considering the fact of the large number of migrant workers employed unofficially, the total number of women migrant workers can be at least twice larger than indicated in statistical data of FMS.

In 2014, State Mass Media published information the labour agreement between Russia and Uzbekistan will be developed in 2015, however, to the date no visible progress is achieved in this sphere. Migrants continue work in unsecured basis and the years they are working in Russia will not be secured while calculating the pension they will be receiving in future, paid from Uzbekistan State Budget.

Situation with the migrant women is even more difficult. Along with the necessity to earn their bread, women give birth and raise their children to the age when the childcare services accept them. Under the new amendments to law only one maternity leave is taken into account while calculating the pension. In other words, if woman has two or more children, and she spent six to nine years altogether looking after her children and not working during this period, State will pay the pension only for the first three years, the remaining three to six years will drop out from the working period and if she spent another five to ten years working abroad, her pension in future will be the minimal one.

Health

16. *According to information before the Committee, there have been allegations of forced sterilization of women in the State party, performed without women's knowledge, and recommendations made on the issue during the consideration of the State party's report by the Working Group on the Universal Periodic Review in 2013 did not enjoy the support of the State party. Please provide information on measures taken to eradicate forced sterilizations and to ensure safe contraception. Please also provide information on the legal framework for abortion in the State party*

³⁵Uzbekistan: Ruble's Rout Breeds Uncertainty for Central Asian Migrants

<http://www.eurasianet.org/node/71471>

³⁶Ibid

³⁷Сведения в отношении иностранных граждан, находящихся на территории Российской Федерации, в половозрастном разрезе (по состоянию на 2 июля 2015 г.)<http://www.fms.gov.ru/about/statistics/data/details/54891/>

Millennium development goal of the United Nations for Uzbekistan was to lower maternal mortality rate by one-third by 2015, which should be 17.4. However, progress in this area is insufficient. In 2005 maternal mortality rate was 29.2 compared to 23.4 in 2010.³⁸ In 2015 the maternal mortality rate is estimated to decline to 21.2 though it is a progress still deficient to reach the goal.³⁹

In 2004 the state introduced:” Programme on Voluntary Surgical Sterilization of Women” – believed to be a policy of birth reduction and population control. The discriminatory approach in this programme is that the sterilization method is only offered to women and not even discusses the possibility to sterilize men as a part of family planning. Although, Programme is called voluntary, in practice, this programme is rather compulsory in many cases. In 2004, NGOs reported that since 2004 the plan of 4 sterilizations and 12 intrauterine devices (IUDs) in a month has been given as a target to each gynecologist.⁴⁰ Our researched showed that in the recent year the forced plan was increased to 8 sterilizations per month.⁴¹

This programme initially covered gynecologists working in policlinic services. While in recent years it has broadened and the responsibility of ensuring contraception was put on doctors working in maternity hospitals.⁴² The practice of insertion of intrauterine devices starts straight away after woman gave birth, even without waiting necessary period for uterine to retract, and post-natal bleeding to stop.⁴³ In the result there are high level of negative consequences such as bleeding, penetration of uterus stitch, infertility and others.

To comply with the requirement of the state contraception plan for intrauterine devices, doctors are forced to falsify number of women who were inserted such device. According to the Sexual Rights Initiative, to persuade woman to go through surgical sterilization, the doctor is compelled to inspire the patient that any other kind of contraception except sterilization is inefficient.⁴⁴ Furthermore, “This is a directive from the Head of Healthcare that policlinic doctor is obliged to make sure that operation is done. Every week the head of regional healthcare conducts meeting with gynecologists, and asks how many women were sterilized during the past week, if the figure is lower than planned, the Head of the Healthcare shouts in front of all colleagues, humiliates and threatens with firing and cutting salaries. During these meetings the Administration puts very strong pressure on doctors to fulfill the plan on sterilization. Thus, doctors are forced to lie to patients to persuade them to sterilization.”⁴⁵

In some cases to fulfill the quota doctors offer sterilization method as being reversinary. In cases if woman suffers from some kind of cyst in uterus or ovary, which according medical

³⁸UlugbekOlimov and YadgarFayzullaev, Country study on Assessing Development Strategies to Achieve the MDGs in the Republic of Uzbekistanhttp://www.un.org/en/development/desa/policy/capacity/output_studies/roa87_study_uzb.pdf

³⁹Ibid.

⁴⁰ UPR joint submission by Sexual Rights Initiative and Creating Resources for Empowerment and Action, 2013 http://lib.ohchr.org/HRBodies/UPR/Documents/Session16/UZ/JS6_UPR_UZB_S16_2013_JointSubmission6_E.pdf

⁴¹Uzbek Bureau for Human Rights and Rule of Law, interview November 2014

⁴²Uzbek Bureau for Human Rights and Rule of Law, interview November 2014

⁴³Uzbek Bureau for Human Rights and Rule of Law, interview November 2014

⁴⁴UPR joint submission by Sexual Rights Initiative and Creating Resources for Empowerment and Action, 2013 http://lib.ohchr.org/HRBodies/UPR/Documents/Session16/UZ/JS6_UPR_UZB_S16_2013_JointSubmission6_E.pdf

⁴⁵Ibid

protocols should be only monitored, patients are persuaded for “free” laparoscopy operation during, which uterus tube are cut even without consent of the patient.

Moreover when asked if the sterilization method is offered to men in Uzbekistan, doctors have responded that: “it is impossible for Uzbekistan to have such procedure; men’s reproductive function is seen as a symbol of masculinity, thus, no way they would agree at such procedure; only women have to carry this burden, as they were always treated as lower class than men.”⁴⁶The fact that state offers sterilization with such a pressure only to women is serious gender based discrimination, and Uzbekistan should stop such practice.

Marriage and family relations

19. It is indicated that, under article 15 of the Family Code, the minimum marriageable age is set at 18 years for men and 17 years for women, and that the age can be lowered by one year in exceptional cases (para. 270). Please provide information on measures taken to increase the legal age of marriage for girls to 18 years, in compliance with international standards.

Despite this, Uzbek legislation keeps such difference for marriageable age, which is set 17 for girls⁴⁷ and 18 for boys.⁴⁸ This legal provision is not only discriminating women, it has also implications to the problem of early marriages. The possibility of lowering marriageable age to 16 years for girls only give negative signals to parents who want to arrange marriage for their underage daughters. For example, 7839 girls under 18 got married compared to 11 boys of the same age group only in 2012.⁴⁹

Although State increased the punishment for forcing women into marriage and for early marriages, the legislation mentioned above still gives parents a signal that if there is a possibility to lower the marriageable age, it is normal to have their underage daughter to get married early. According to researches of unregistered NGO, in rural areas early marriages remain normal practice done in a religious ceremony. US State Department also stated that in some rural areas girls as young as 15 occasionally were married in religious ceremonies not officially recognized by the state.⁵⁰

20. The figures mentioned in the report indicate that the number of persons who had committed the crimes specified in article 126 of the Criminal Code (on bigamy) had increased from 15 in 2010 to 23 in 2013 (para. 274). Please provide information on the root causes of the persistence and the increased number of cases of polygamous unions in the State party and on measures taken to eliminate that harmful practice and to protect the rights of women in such relationships.

⁴⁶UBHRRRL interviews with 4 doctors that did not want to mention any names, Tashkent, December 2014.

⁴⁷In special circumstances the Uzbek legislation allows girl to be married at 16 years.

⁴⁸Article 15 Family Code of Uzbekistan.

⁴⁹The number of marriages according to the age of bride and groom in 2012, <http://gender.stat.uz/index.php/osnovnye-pokazateli/demografiya/braki-i-razvody/131-chislo-brakov-po-vozrastu-zhenikha-i-nevesty-v-2012-godu>

⁵⁰US State Department Report <http://www.state.gov/documents/organization/220622.pdf>

Polygamy is becoming widespread practice in Uzbekistan. The primary reasons forcing women into such degrading relationships is poverty, and the fear society stigmatization for being lonely woman. Usually being less educated and having few possibilities of being decently employed women turn to be in a very weak position to financially support themselves or their children. Thus they start to see polygamy is the way out of poverty.

Women living in poverty or divorced having no other means but being financially dependent on parents or relatives agree to become the second or third wife, not fully understanding that their marriage will not be legally recognized by state and thus be deprived from the legal rights of spouse.

Another factor contributing to this is misinterpretation of Islam provisions on the possibility to marry up to four women is understood as a blessing good for men, not the responsibility under the law. Thus many of men accept polygamy as a normal phenomenon; they do not see any amorality or crime in it, and the government does have proactive policies against such conception. Moreover, people consider that polygamy is needed in times when economic status of women in the country is low and there is no need for women to study or work if she has a breadwinner. In the similar manner women entering polygamous relations do not understand that it is humiliating their honor and dignity and violating their legal rights. This is happening because the government is not making any educational programs and informational campaigns on violation of women's rights in polygamous marriages.

Men entering polygamous marriages can be criminally charged if properly apply the existing law. However, such criminal cases are underreported as victims are not interested in losing their mean of financial support and government do not interested to interfere in such relations. In addition, polygamous marriages even though they do not enjoy the same rights as official wife. Women entering into polygamous relations have no heritage and property rights in case of divorce. Polygamy should be explicitly condemned as violating women's right to equality and discrimination.

21. Mention is made of the regulations in force with regard to marital property in the State party, prenuptial agreements and the division of property upon dissolution of marriage (paras. 257-267). No mention is made, however, of the regulations that apply in cases of de facto unions. Please provide information on the legislative measures taken to protect the rights of women upon the dissolution of de facto unions, regardless of their registration status, in line with the Committee's general recommendation No. 29 on article 16 of the Convention (economic consequences of marriage, family relations and their dissolution).

De-facto marriages are completely unrecognized by the State and women entering such relationships have no rights regarding economic consequences of marriage, family relations and their dissolution. Civil and Family Codes of Uzbekistan recognize marriages registered only in Civil Registry offices and thus do not provide any legal protection for women entering de-facto relationships and their unrecognized children.

Recommendations:

1. Adopt Law on Equal Rights and Opportunities for Women and Men with necessary amendments to the penal provisions of Uzbekistan. Introduce definitions of direct and indirect discrimination on the basis of gender.
2. Ratify the Optional Protocol to the Convention on Elimination of All Forms of Discrimination against Women.
3. Launch special comprehensive state programme for judges, lawyers, law enforcement and prosecutors so that they can appropriately apply the CEDAW and corresponding national legislation in their daily job.
4. Abolish discriminatory provision of marriageable age for girls. Currently it is set at 17 years (which can be lowered to 16 with the decision of local governor). It is necessary to make marriageable age the same for both sexes and set it at 18 years when citizens attain the full active capacity by the law of Uzbekistan.
5. Open the issue of domestic violence for public discussions.
6. Conduct official state research, monitoring and collect statistic on the scale and consequences of domestic violence with further publications.
7. Adopt Law on domestic violence and include appropriate amendments to the existing penal provisions; introduce definitions to all forms of domestic violence in the penal provisions, including psychological, economic and sexual.
8. Within the structure of the Ministry of Interior establish the separate department working on the cases of violence against women.
9. Conduct separate trainings on the issue of domestic violence for law enforcement, medical personnel, forensic expertise specialists, judges, lawyers, journalists, mahalla committees and school staff for coordinated response to domestic violence to prevent and combat it.
10. Provide quota of at least 30% women's representations in all governmental agencies, including law-enforcement and Parliament members as well as in governmental management positions and head of diplomatic missions.
11. Provide incentives for rural schoolgirls for participation at the school.
12. Provide quota for enrollment of graduates of orphanages and boarding schools; provide scholarships for their education in the universities.
13. Revise policies enhancing traditional stereotypes about the roles and images of women and men in minds of people and call mass media to present only gender correct media articles, TV and radio programs.
14. Introduce amendments to legislation on media, implying sanctions for sexist approaches in highlighting gender issues.
15. Stop pressure on independent journalists, mass media editors for opening urgent issues on violence and discrimination against women.
16. Encourage mass media create and promote positive images of highly professional women-leaders successful in politics, management, business and social spheres; conduct public discussions of gender inequality problems, including overcoming gender stereotypes.

17. Revise the Programme on preserving spirituality and preventing hostile to the national culture phenomena and activities on the topic of compliance with the international obligations of Uzbekistan, in particular ICCPR, CEDAW and CRC.
18. Adopt the Law on “Public Service” determining the general principles of selection and placing female personnel, non discrimination of women and etc.
19. Provide trainings and workshops for Government officials at all levels in areas covered by CEDAW and recommendations of CEDAW Committee. The systematic training programme and course modules should be also established and coordinated through Academy of State and Social Construction under the President of the Republic of Uzbekistan.
20. Revise and simplify the order of the NGO registration including foreign representations and introduce respective amendments into legislative acts weakening control on the part of the state controlling organs and the Ministry of Justice; Change the character of NGO registration from permissive to informative.
21. Abolish the practice of tight control of the activities of NGOs by the Ministry of Justice, in particular, necessity of obtaining permission from the Ministry on conducting the educational activities, conferences, round-tables and etc.
22. Eliminate the practice of checking the appropriateness of grants allocated to the NGO on the issue of necessity to Uzbekistan by the commission within the banks. Stop freezing grants allocated to NGO and returning them to the international donors.
23. Eliminate censorship of NGO publications, and stop persecution of individuals involved in developing and publishing materials of nongovernmental organisations, including textbooks, leaflets, and public services announcements on women’s issues.
24. Stop persecution of women NGO leaders, women human rights defenders, journalists and activists.
25. Reintroduce correspondence course for women pursuing higher education, promote the development of distance – learning courses.
26. Abolish the system of penalizing families for not sending their children to school, instead introduce incentives, and develop strategies supporting poor families in sending girl children to school, colleges and universities.
27. Provide incentives and scholarships for girls entering Engineering, Law, Industry and Construction, Transport and Communication, Agriculture university departments.
28. Provide incentives for women pursuing scientific career and research.
29. Provide gender-expertise of textbooks to identify and eliminate gender discriminative stereotypes in their content.
30. Develop and introduce study of the provisions of Convention on Elimination of All Forms of Discrimination against Women in addition to the existing classes on “Constitution of Uzbekistan”, incorporate gender courses in school, colleges and universities curriculum.
31. Abolish the institute of residence registration (propiska) and permission to exit the country for the citizens of the Republic of Uzbekistan as discriminating practice, worsening lives of women.
32. Ratify International Convention on the Protection of the Rights of All Migrant Workers and Their Families and develop special strategy to protect the rights of Uzbekistan

- migrant workers in the destination countries. Enhance the role of the embassies and consulates in destination countries.
33. Cooperate with the government of the destination countries in developing strategies on legalizing the work of migrants and their protection.
 34. Criminalise the sexual harassment by including it to the existing penal provisions.
 35. Conduct gender training and enhance the knowledge of judges, law enforcement officials, procurators and other personnel involved in the criminal process, on the provision of the Convention on Elimination of All Forms of Discriminations against Women, encourage judges to use CEDAW provisions in their verdicts.
 36. Establish rehabilitation centers for women and girls, delinquents, torture and domestic violence victims, functioning within the framework of restorative justice.
 37. Introduce the complex strategy of preventing early marriages, including incentives at pursuing higher education for girls, raising awareness of women rights issues and negative consequences of early marriages and inequality.
 38. Introduce to the legislation the practice of divorce compensation.

Attachment 1

Abstract from Report to Universal Periodic Review of Uzbekistan, of Uzbek Bureau on Human Rights and Rule of Law (UBHRRL) with the support of FIDH

Suppression of civil society

1. The Government of Uzbekistan has targeted independent civil society organisations with oppressive policies since the beginning of Karimov's era. The wave of "colour" revolutions in former Soviet republics, and the Andijan massacre of 2005 have led the State to become increasingly aggressive, openly employing severe methods to repress civil society, including by enacting oppressive legislation and directly threatening and otherwise persecuting NGO personnel in order to silence independent voices.

2. Since that time, no organisation has been able to report in detail or document the numerous human rights violations being perpetrated in Uzbekistan, making it almost impossible to obtain clear information on the human rights situation in the country. Severe suppression of freedom of association is now the most urgent issue in Uzbekistan, as voiceless NGOs are powerless to hold the Uzbek State to account for its widespread violation of human rights – it having obscured access to information on the overall human rights situation in the country.

3. In the aftermath of and the years since the 2005 Andijan massacre, over four hundred local entities and about fifty international and foreign NGOs, media outlets, including the BBC, Deutsche Welle, Voice of America and Radio Liberty and private organisations have been closed down. Between 2005 and 2012 the government closed almost all international NGO's operating on Uzbek soil. These include the Open Society Institute, Eurasia Foundation, Inter-news, American Bar Association, Central European and Eurasian Law Initiative, Counterpart International, Crosslink Development, Freedom House, Partnership in Academics and Development, Urban Institute, Peace Corpus, Institute for War and Peace Reporting, Winrock International and Human Rights Watch.

4. A Number of human rights defenders who strongly criticized the government and revealed serious human rights abuses were imprisoned or forced to flee the country. Those remaining in Uzbekistan work under daily surveillance, pressure, and harassment.

5. Independent NGOs are called “agents of the West” by State media; they are accused of propagandizing ideas “alien to the national mentality”. Independent NGO movements are blamed for conveying so called “western values” and breaking the traditional foundations of Uzbek society. Respect for human rights, protection from domestic violence, non-discrimination and gender are included in the list of “western values” allegedly being imposed. They are perceived to breach traditional Uzbek values and are therefore taboo in official vocabulary.

Legislation suppressing independent civil society institutions and NGOs

6. Upon the first “Colour Revolution” in the former Soviet Republic of Georgia, the Uzbek Government adopted a number of draconian laws that made the work of independent NGOs and other key agents of a democratic society (e.g. certain media) impossible. NGOs wanting to operate as legally registered entities have had to submit to State control over their work. Whilst many of these laws pre-date Uzbekistan’s last UPR they continue to be a devastating obstacle to civil society and democratic freedom. They are briefly outlined below together with newer legislative developments to ensure a complete picture of the situation faced by those seeking to inform the current review.

7. The Presidential Decree of December 2003 requiring the re-registration of all foreign NGOs continues to smother civil society representation. This law allows the government to control the activities of international NGOs through the Ministry of Justice and other State organs, exercising pressure on critical international NGOs, including through the denial of accreditation.

8. Another persisting obstacle to the operation of civil society remains the 2004² cabinet resolution forcing NGO’s to transfer their bank accounts to two State banks. Within these banks a Special Commission, staffed by bank personnel and National Security Services (former KGB) officers is charged with deciding whether to allow NGOs to receive money. Numerous NGO grants have been blocked for some time and even sent back to donors because they were not approved by the Commission. Officially, the Commission looks at whether a grant’s objectives are consistent with Uzbek Government policy, though in reality it simply denies independent NGOs the ability to access foreign funding.

9. The Presidential Decree of 27 May 2004 requiring the re-registration of all women’s NGOs (without stipulating the criteria for determining a “Women’s NGO”), also continues to oppress a free civil society. The Decree seeks to register all women’s organisations under one government organisation: the Uzbekistan Women’s Committee, forcing them to be subordinate to and work under the dictates of this organisation.

10. Moreover, Uzbekistan’s Criminal Code and its Code on Administrative Responsibility (as amended in December 2005), continue, under Article 239, to oblige all NGOs to obtain permission from the Ministry of Justice before conducting any activity, including providing documents confirming the use of property and financial resources. Failures are penalized with enormous fines (from 100 to 600 times the minimum monthly wage, which is from 3,928 to 23,750 US Dollars³), imposed on the managers and directors of the infringing NGO.

11. Penalties for the following offences under Uzbekistan’s Criminal Code have been increased to 3-4 times: Art. 139 (Libel); Art.140 (Insult); Art.159 (An encroachment on constitutional buildings of the Uzbek Republic); Art.217 (Infringement of rules on the organisation and holding of meetings, rallies, street marches or demonstrations); and Art.244(1) (Producing or distribution of the materials containing threat of public security). These articles attract penalties “from 200 up to 600” times the monthly minimum wage.

12. The penalties for similar breaches under Uzbekistan’s Code on Administrative Responsibility have also been toughened. The rates of penalty relating to articles 40 (Libel) and 184 (Producing or distributing materials containing a threat to public security) have been increased up to 10 times. For example, where previously a penalty under Article 23 (exceptional cases) could be imposed from 10 to 15 times the minimum monthly wage, it is now possible to apply a penalty from 100 up to 150 times the minimum monthly wage. However, the law fails to specify the type of materials that can pose a threat to public

security. Thus materials published by NGOs containing information on human rights abuses can easily be interpreted as causing a public disturbance and thus being a threat to public security under the legislation.

13. Parliament's December 2006 adoption of the Law on the Guarantees for Activities of Non-State, Non-Profit Organisations also continues to impede democratic freedom. This law contains a number of vague and ambiguous definitions and restrictions that facilitate arbitrary administrative decisions targeting civil society organisations.

14. Contrary to international standards on freedom of association Uzbek law makes registration the central prerequisite to NGO activity, rendering informal active groups illegal and their members punishable by up to 5 years imprisonment under the criminal code.

15. Uzbekistan's Law on Mass Media (as amended in January 2007) further continues to suppress independent voice. Under this law, Internet and bulletins are recognized as Mass Media with several attendant consequences, including the requirement for an NGO to obtain a license in order to issue regular bulletins or brochures. Consequently, if an NGO bulletin addresses critical issues, such as violence against women, sexual exploitation, or democratic values and ideas, it is unlikely to be granted a license. All web sites publishing critical information and being maintained from abroad are blocked. Notably, many critical thematic issues are discussed on these sites, though Uzbek readers are deprived of access to them. All access to the websites of international human rights organisations, such as Human Rights Watch, the International Federation for Human Rights(FIDH), Amnesty International, and many others is blocked.

16. In order to build a single State-controlled NGO administrative body, 2008 saw the Uzbek government create a so-called NGO, named the National Association of Nongovernmental Noncommercial Organisations (NANNO). This organisation is intended to subsume all existing NGO under its auspices. In 2012, the NANNO carried out six Projects funded by the European Commission for 1.3 million Euros. These projects were entitled "Plan your future". Since 2010, another so-called NGO – Fond Forum of Uzbekistan – has been active in the country. Although, this organisation is officially an NGO, it is lead and reportedly funded by President Karimov's eldest daughter, G. Karimova, who is an official government employee. In 2010, this organization also got consultative status with the UN's ECOSOC.

17. Any publication produced by an NGO or international organisation, including UN offices, must obtain permission from the Centre on Spirituality and Education under the Cabinet of Ministers. This regulation acquired a special force in March 2009 in light of the newly adopted "Program on enhancing national spirituality and the struggle against phenomena and activities alien to the Uzbek way of living and mentality". The implementation of that program began with the screening of numerous publications by international organisations (UN Uzbekistan offices inclusive) by the Centre on Spirituality and Education. The screening aimed to determine whether or not the publication is related to the issues and contains terminology of gender equality, domestic violence, feminism, safe sex, condoms, etc., which are identified as "hostile to the national culture".

18. The government has forced the closure of many local NGOs by a variety of means. In some cases directors were called and threatened orally with negative consequences for disobedience; in others the Ministry of Justice initiated court cases on grounds that under normal circumstances would entail only a written warning at most. For example, in 2005 the Ministry of Justice instituted proceedings against the Legal Aid Society of Uzbekistan (LAS), on the basis that its original registration was questionable as the organisation did not provide a rental agreement for its office when supplying documents for registration. The Court consequently shut the organisation down.

19. The law in Uzbekistan imposes administrative liability for functioning as a non-registered group for more than 6 months. Under article 202 (1) of the Code of Administrative Liability, "Involving others in non-governmental, non-profit organisations, movements, sects, which are illegal in the Republic of Uzbekistan, is punishable by a fine ranging from fifty to one hundred minimum wages or by administrative arrest of up to fifteen days." In February 2012 responding to the events of the Arab Spring, the Uzbek government also went on to ban Flash-mobs.

Registration of NGOs

20. NGO registration is mandatory in Uzbekistan. It is carried out by the Ministry of Justice and there are three types of response officials can provide upon consideration of the documents supplied by a group's initiators: a) approval, b) denial, and c) leaving registration documents unconsidered due to shortcomings or errors. For an organisation whose Charter provides that it will work on human rights, religious freedoms and other so-called sensitive issues, the Ministry always uses the third type of response, launching endless bureaucratic mechanisms.

21. With its documents for registration, an organisation must provide protocols for its members meetings and a list of founding group members. This requirement allows the government to put pressure on founding members to deny participation in the formation of NGOs and further use it as a shortcoming of the NGO's registration.

22. The Ministry of Justice has found "shortcomings" in registration papers for NGOs to prevent their official registration. Examples of such shortcomings have historically included that "...the group cannot put as its goal protection of human rights since article 43 of the Constitution secures the State's role in promotion and protection of the rights and freedoms of citizens..." ("Mazlum" human rights NGO's refusal in 2002) and that an applicant could not choose to combat torture as one of its objectives because Uzbek law outlaws torture and there is no torture in Uzbekistan (other NGO 2003). Whilst these are clearly historical examples, given the State's consistent stance on human rights NGOs, their applications, if not left languishing unanswered in the registration system, can expect similar such responses today.