

**Concluding comments of the Committee on the Elimination of
Discrimination against Women: Kyrgyzstan**

Initial report

Introduction

106. The Committee expresses its appreciation to the Government of Kyrgyzstan for submitting, in a timely manner, a well-structured and comprehensive initial report. It commends the Government on its comprehensive oral presentation and for the replies to the questions posed by the Committee.

107. The Committee appreciates the high-level delegation, headed by the chairperson of the State Commission for the Family, Women and Youth, which presented the report. It notes that the report described measures taken by the Government to implement the Beijing Platform for Action.

108. The Committee commends Kyrgyzstan for ratifying a large number of international human rights treaties, including the Convention on the Elimination of All Forms of Discrimination against Women, which was ratified, without reservations, during a difficult time of transition to a market economy and of rapid social and political change.

Positive aspects

109. The Committee commends the fact that the texts of the treaties ratified by Kyrgyzstan have been translated into the Kyrgyz language and other languages used in Kyrgyzstan, including Russian and Uzbek. In this context, the Committee expresses its appreciation of the Government's will to implement the Convention. The Committee also commends Kyrgyzstan for integrating the provisions of the ratified treaties into its basic domestic laws, including the criminal code, the civil code, the labour code and the law on protecting consumers' rights. It is also pleased to learn that there are plans to review other laws from a gender perspective.

110. The Committee appreciates the fact that human rights are part of the curriculum of many universities and schools.

Factors and difficulties affecting the implementation of the Convention

111. The Committee views the prevailing conditions of poverty and unemployment as well as the negative effects of rapid social and political change on women to be major impediments to the implementation of the Convention.

112. The persistence of a strong patriarchal culture, which emphasizes

traditional roles of women and men, is also seen as a hindrance to the implementation of the Convention.

Principal areas of concern and recommendations

113. The Committee is concerned at the lack of understanding of discrimination against women as a multi-faceted phenomenon that entails indirect and unintentional as well as direct and intentional discrimination. This understanding is a *sine qua non* of comprehensive analyses and for policy analysis for the effective elimination of discrimination against women in both *de jure* and *de facto* terms.

114. The Committee recommends that the principle of the equality guaranteed by law should also refer to non-discrimination on the grounds of sex. It also recommends the introduction of a procedure for enforcing rights through effective judicial and other means. Policies, including educational, mass media and awareness-raising campaigns should also be introduced and efforts should be directed at countering both intentional and unintentional discrimination.

115. The Committee expresses concern with regard to the extent and nature of the power of the national machinery, as well as the ambiguity surrounding the relationship between the State Commission and the Ministry. It also notes the inadequacy of the existing budget and personnel for the advancement of women.

116. The Committee recommends enhancing the national machinery by clarifying its functions and the relations between its various organs and the organs of Government, as well as through the allocation of greater budgetary and human resources so as to ensure its effective functioning at the national and regional levels.

117. The Committee also recommends that all national programmes to promote the advancement of women include mechanisms for the assessment of the outcomes of their implementation and the evaluation of their effectiveness and the extent of their outreach.

118. The Committee expresses concern that no efforts have been made to use temporary special measures as envisaged in article 4, paragraph 1, of the Convention to improve the situation of women in various areas; and to ensure women's participation in decision-making bodies and women's employment in non-traditional areas.

119. The Committee recommends the introduction of a broad range of temporary special measures in accordance with article 4, paragraph 1, including quotas, to improve the representation of women in politics and at all levels of decision-making and in non-traditional fields of employment.

120. The Committee is concerned about the prevalence of patriarchal culture and the continuing emphasis on the traditional roles of women exclusively as mothers and wives. The Committee notes with particular concern that the initial report, in referring to the role of man as the breadwinner, may legitimize existing stereotypes.

121. The Committee urges the Government to introduce a range of measures, including comprehensive public education and mass media campaigns, to eliminate traditional stereotypes of the roles of men and women.

122. The Committee is alarmed at the increase in all forms of violence against women, including gang rape. The Committee is also concerned that the emphasis of the initial report is on sexual violence rather than on gender-based violence as an infringement of the right to personal security.

123. The Committee recommends that all forms of gender-based violence be a focus of serious concern. It recommends the enhancement of comprehensive measures to prevent violence and to support women victims, including gender-sensitization and the training of law enforcement officials. It recommends the collection of comprehensive sex-disaggregated data and information on the issue of violence against women. In the light of the linkage of violence with poverty, the Committee recommends the introduction of measures aimed at improving the economic status of women, including retraining for income-generating occupations.

124. The Committee recommends, in both urban and rural areas, the expansion of the network of crisis centres and the establishment of consultative services to provide necessary medical assistance to women victims of violence.

125. The Committee is concerned about the increase in alcoholism and drug addiction, to the extent that these are causes of health problems, as well as violence against women everywhere.

126. The Committee recommends that programmes be put in place to create awareness about the negative impact of alcoholism and drug addiction on individuals and on society in general. It also recommends the introduction of rehabilitation programmes for victims of such addictions.

127. The Committee is concerned that lesbianism is classified as a sexual offence in the Penal Code.

128. The Committee recommends that lesbianism be reconceptualized as a sexual orientation and that penalties for its practice be abolished.

129. The Committee is concerned about the increase in prostitution and the trafficking of women, which it views as being related to poverty, lack of employment and lack of effective national measures to suppress the growth of these practices.

130. The Committee recommends that increased efforts in cooperation with other countries be taken to arrest and punish perpetrators of trafficking. It also recommends that domestic measures be launched to combat the negative effects of structural adjustment programmes on women and to provide job opportunities and training to vulnerable women.

131. The Committee is concerned at the economic situation of women, characterized by an increase in the number of women in poverty and among the unemployed.

132. The Committee recommends that the gender dimension of poverty be considered in the design and implementation of all policies and programmes aimed at the elimination of poverty.

133. The Committee is concerned about the conditions of work and job security of the growing number of women who are entering the informal sector as agents in what is referred to as the Awomen's suitcase economy≡ or Awomen's shuttle economy≡.

134. The Committee recommends the introduction of comprehensive measures aimed at the improvement of women's economic status, particularly through a review of the taxation legislation relating to small businesses and the expansion of micro-credit programmes involving commercial and agricultural banks in order to ensure gainful and secure employment for women. It also recommends that steps be taken to integrate women into all sectors of the national economy.

135. The Committee recommends that international cooperation be sought to promote the economic position of women.

136. The Committee is concerned at the situation of women's health, in particular the increase in the incidence of maternal mortality and morbidity, as well as the high rates of infant mortality and the use of abortion as a method of contraception.

137. The Committee recommends the introduction of comprehensive family-planning programmes based on the right to reproductive choice, as well as measures to ensure that abortion is not perceived as a method of contraception.

138. The Committee notes with concern that although polygamy is illegal, it is nonetheless practised in some regions without legal or social sanctions.

139. The Committee recommends that effective measures be taken with respect to the implementation of existing laws, the improvement of women's economic situation and the implementation of public education programmes to change traditional values supportive of polygamy in order to eradicate this practice altogether.

140. The Committee recommends that effective participation of non-governmental organizations be secured in the preparation of the next report of Kyrgyzstan and that the report be made widely available to the community of non-governmental organizations.

141. The Committee requests the Government of Kyrgyzstan to provide information addressing the concerns raised in the present concluding comments in the next periodic report required under article 18 of the Convention.

142. The Committee requests the wide dissemination in Kyrgyzstan of the present concluding comments in order to make the people of Kyrgyzstan, and particularly government administrators and politicians, aware of the steps to be taken to ensure *de jure* and *de facto* equality for women. It also

requests the Government to continue to disseminate widely, in particular, to women's and human rights organizations, the Convention, the Committee's general recommendations and the Beijing Declaration and Platform for Action.