

Council of NGOs

**ALTERNATIVE REPORT
TO THE COMMITTEE ON ELIMINATION OF
DISCRIMINATION AGAINST WOMEN (2008)**

Bishkek 2008

Contents

Abbreviations	6
Article 1.	7
59-63	7
Article 2.	7
64-66	8
67	8
Article 3	9
68-73	9
75-77	9
Article 4.	9
82-92	9
Article 5.	10
94	10
97	11
98-102	11
105	14
106-110	15
117-120	15
121	15
123-125	16
Article 6.	16
126-128	17
129-131	17
133, 137	18
134	19
138, 144, 145	19
146	20
147 - 148	20
152	20
153-154	20
155-156	20
158	21

159–160	21
161	21
162	22
163	22
165–166	23
168–169	23
170–172	23
175	23
173, 176	23
177	24
179	24
181	24
182–183	24
184	25
185	25
187	25
188	25
Article 7	26
189– 190	26
199	26
203–205	27
209	27
Article 8	30
217–221	30
Article 10	30
228	30
234–238	32
Article 11	32
Employment	32
Article 12.	34
278	34
280–281	36
282	36

284.....	36
289-295.....	36
303.....	37
309-313.....	37
318.....	37
Article 14.....	39
362-363.....	39
364.....	39
368-371.....	40
Article 16.....	40
Attachment 1: Information on the NGOs - authors of the Report	0
<i>Women Support Center.....</i>	0
<i>Association of Crisis Centers</i>	0
<i>Women-entrepreneurs support Association of Kyrgyzstan (WESA).....</i>	0
<i>Gender Research Center</i>	1
<i>NGO «Social Technologies Agency» (STA).....</i>	1

This Alternative Report to the CEDAW Committee is prepared by five members of *The Council of NGOs* listed below and independent experts:

- Women Support Center (WSC)
- Gender research center (GRC)
- Social Technologies Agency (STA)
- Association for the support of women-entrepreneurs (WESA)
- Association of crisis centers (ACC).

UN Agencies, Open Society Institute (Budapest), HIVOS (the Netherlands), and International Women's Rights Action Watch – Asia pacific (Kuala Lumpur) provided their information, financial and technical support during preparation of the Alternative report of the Council of NGOs.

Views of the authors in this publication do not necessarily reflect the official opinions of UN Agencies, Open Society Institute (Budapest), HIVOS (the Netherlands), and International Women's Rights Action Watch – Asia pacific (Kuala Lumpur).

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Foreword

This Alternative report is prepared as a commentary to the Third Periodic report of the Government of the Kyrgyz Republic (the KR) on measures to fulfill obligation of the government on implementation of the Convention on Elimination of All Forms of Discrimination against Women.

During the last 18 years, the KR has been declaring its adherence to the gender equality policy. With such statements from the country leadership it is difficult to comprehend the process of the national gender policy and evaluate its results.

A group of NGOs and experts of the Council of NGOs has decided to prepare critical comments to the third periodic report of the Government of Kyrgyzstan to the CEDAW Committee. The following Kyrgyz NGOs wrote the Alternative Report¹:

- Women Support Center (WSC)
- Gender research center (GRC)
- Social Technologies Agency (STA)
- Association for the support of women-entrepreneurs (WESA)
- Association of crisis centers (ACC).

The Alternative Report to the Third Periodic Report is structured by Articles of the CEDAW to allow Committee members compare information received from Kyrgyzstan. A content of sections is somewhat opposing the position of the Government.

In order to prepare the Alternative Report members of the Council of NGOs have studied particular cases, analyzed statistical data and research, and conducted additional mini-research. Besides, for the purpose of this report research and other materials of women NGOs were utilized in a wider scope and a more representative manner than it was done for the government report. During numerous meetings, authors of the Alternative Report have discussed their evaluations and opinions with experts, representatives of the state power, civil society and business structures.

The Alternative Report uses a wide notion of equality of rights with also considers factual equality (opportunities and rights), as well as it contains a gender analysis of key reasons hampering the achievement of gender equality in the Kyrgyz Republic (KR).

The Council of NGOs views the process of Alternative Report preparation as a complex plan of writing up and presenting the Report, and also as further monitoring of the fulfillment of Government's obligations and Committee recommendations.

Authors thank the UN Agencies, Open Society Institute (Budapest), HIVOS (the Netherlands), and International Women's Rights Action Watch – Asia Pacific (Malaysia) for the support in preparation of this Report.

¹ Attachment 1 contains information on the NGOs-authors of the Report.

ABBREVIATIONS

AIDS	Acquired Immunodeficiency Syndrome СПИД
AUCA	American University in Central Asia
BPA	Beijing Platform of Action
CC KR	Criminal Code of the KR
CC	Crisis Center
CDS	Country Development Strategy, a comprehensive national development programme, adopted in 2007
CEDAW	Convention on Elimination of All Forms of Discrimination against Women
CIS	Commonwealth of Independent States
CPC KR	Criminal Procedural Code of the KR
CPC KR	Civil Procedure Code of the Kyrgyz Republic
DBIA	District level bodies of internal affairs
DMS MFA	Department of Migration Service of the Ministry of Foreign Affairs
ECKR	Electoral Code of the Kyrgyz Republic
FME	Forensic examination
HIV	Human Immunodeficiency Virus
IA KR	Органы Internal Affairs of the Kyrgyz Republic
IO	International Organizations
IWRAW-AP	International Women's Rights Action Watch Asia Pacific
KR	Kyrgyz Republic
MDCI	Main Department of Criminal Investigation
MIA	Ministry of Internal Affairs
NC	National Council on women, family and gender development issues under the Administration of the President of the Kyrgyz Republic
NEP KR	National Employment Program of the Kyrgyz Republic
NGO	Non-governmental organization
NPA	National Plan of Action on Achieving Gender Equality
NSS	National Security Service
NTRC	National Teleradiobroadcasting Company
ODIHR OSCE	Office for Democratic Institutions and Human Rights, The Organization for Security and Cooperation in Europe
PF	Public Fund
PGN	Practical gender needs
PO	Public Organizations
RH	Reproductive health
SGN	Strategic gender needs
STD	Sexually transmitted diseases
TPR	Third periodic report of the Kyrgyz Republic on implementation of the Convention on Elimination of All Forms of Discrimination against Women
UN	United Nations
UNDP	UN Development Program
UNFPA	UN Population Fund
UNIFEM	UN Women's Fund
WSC	Women Support Center

ARTICLE 1.

Definition of discrimination against women

59-63. The Law of the KR «On basics of state guarantees of provision of gender equality» bans gender discrimination. However, the absence of a real responsibility for the established facts of hidden and overt discrimination leads to a flagrant disregard of the discrimination against women in legal practice. Because of this, the ban is declarative in nature.

A low degree of correspondence between key regulations in the Penal and Administrative codes and implementation mechanisms of anti-discriminatory legislation points at the lack of a clearly established liability for sex-based discrimination, with the exception of individual types of it (bride kidnapping, trafficking in women).

This particular situation allows a number of key public policy makers and government officials initiate legislative projects that discriminate against women: on legalization of polygamy; on prohibition of abortion under social indications; on promotion of archaic national traditions and practices under the pretext of the revival of family values, self-consciousness and identity of the people.

ARTICLE 2.

Obligations on elimination of discrimination

64-67. Article 2 of the Convention requires States to provide women with specific forms of legal protection from discrimination, in particular, to establish constitutional guarantees of equality (Art. 2a), anti-discriminatory legislation (St. 2b), as well as to set up tribunals or courts where women could apply with complaints of discrimination (Art. 2 c).

Thus, the Article establishes the obligations of States to develop and improve the legal framework to ensure equal rights and opportunities. In a short period, Kyrgyzstan has passed through several stages of reforming its legislation and institutionalizing gender expertise.

Since 2002, the work in this direction was carried out through gender expertise of individual laws and projects by civil society experts. Such expertise was not institutionalized, but the procedure was applied for the Family Code, Penal Codes, the Administrative Liability Code, and the Laws "On Combating Corruption", "On Reproductive Rights of Citizens", and "On Prevention and Combating Trafficking in Human Beings"

In some cases, the draft laws were significantly changed after the gender expertise. For example, significant objections to the Draft Law "On Public Service" have been made by the KR President. The Draft Law assumed benefits in entering the public service to the citizens who served in the army. Given that the concept of "universal conscription" in Kyrgyzstan traditionally applies to only men, the measure contained a hidden discrimination, as it could limit the access of women to public service.

According to the results of gender expertise, the Draft Law "On Citizenship in KR" was amended and the provision on establishing the KR citizenship of a child based on the father's KR citizenship only was changed. Now such citizenship can be established based on the KR citizenship of the child's mother.

The next stage in the development of gender expertise was the participation of gender experts in the constitutional reform of 2006-2007, namely the preparation of a package of proposals and amendments to the Constitution aiming to overcome a language sexism and attempting to introduce a set of special measures. Promotion of these proposals and amendments through a series of discussions and symbolic actions led to a gradual change in attitudes of the Constitutional meeting and the Parliament.

An important fact is that women organizations and gender experts were at the forefront of the movement to return the definition of Kyrgyzstan as a secular state to the Constitution.

As a result, the KR Constitution adopted by a referendum on October 21, 2007 returned to the notion of a "secular state". Also, compliant to Art. 2a of the Convention, the Constitution now contained a paragraph saying that "in the Kyrgyz Republic, men and women have equal rights and freedoms, as well as equal opportunities to exercise them" (Art. 13, para. 4 of the KR Constitution).

At the same time, temporary special measures to support women during elections to the Parliament were introduced in the Electoral Code.

The third step in the institutionalization of gender expertise has been the development of its standards in a complex with the legal, environmental and other types of expertise. Such a comprehensive expertise is now legally enshrined and can become an important step in establishing a permanent institute of gender expertise in the Parliament. In the practice of the Parliament's work, a new rule of receiving "Conclusions of gender expertise of bills" and holding parliamentary hearings on gender development issues has been established. However, the mechanism of including gender expertise in the law-making process has not been sufficiently developed and is used from time to time.

A great role in promoting and institutionalizing the gender expertise belongs to the institute of the Special Representative of the KR President in the KR Parliament on gender development issues, which was established in 2005. Particularly, the standard mandatory expertise of a legislation, participation of gender experts in the constitutional reform was lobbied under her leadership. However, in May 2007, this position has been transformed into the post of Deputy Permanent Representative of the President in the Parliament, without specifying the functional load related to gender issues, which, in case of further staff reshuffling, leads to the risk of losing this important part of the national machinery for implementing the policy of gender equality through the legislative process.

64-66. A practice of integrating gender issues into national development programs has been established in Kyrgyzstan (Comprehensive Development Framework, National Strategy for Poverty Reduction Strategy and Country Development Strategy). Also, the gender component has been introduced in a number of sectoral programs.

But, a regularly functioning system of monitoring and evaluating the situation of women and identification and elimination of obstacles to real equality for women in all spheres of life has not been yet established. Monitoring of implementation of international and national commitments by the Government (BPA, CEDAW, and MDG) is carried out as required, by NGO representatives and in collaboration with the state structures.

A UNDP and UNIFEM project "Gender and MDG" developed harmonized gender indicators for monitoring the government performance, but neither the Country Development Strategy for 2006-2010 nor the NPA for 2007-2010 use these indicators in full.

67. In general, the law of the KR "On the basis of state guarantees of gender equality" is an anti-discriminatory legislation prohibiting all forms of discrimination against women. It applies to both individuals and government officials. According to the Art. 28 of the Law "...supervision of the precise and uniform enforcement of the law is carried out by the KR General Prosecutor's Office." But the consequences of failure to comply with the Law (Art. 31) are not clearly identified and have a referral nature, allowing "the use of possibilities in the legislation of the Kyrgyz Republic in order to ensure gender equality." Procedures (Art. 33) for revision of the facts of gender inequality suggest referrals "to the KR President, the Jogorku Kenesh, the Government, the Ombudsman, local self-governance bodies, courts, the National Council on Women, Family and Gender Development under the KR President, employers, the social organizations and other non-governmental associations, as well as to law enforcements.

Given that these bodies have powers to consider a wide range of issues, and their staff lacks of gender sensitivity and competence, it is safe to say that a specific mechanism where women could handle complaints of discrimination in public and private spheres does not exist in the KR.

ARTICLE 3

Development and advancement of women

Article 3 of the Convention requires States to take "all appropriate measures" in all areas to ensure a full development and advancement of women in order to guarantee them all rights on an equal basis with men.

68-73. In 2004, the partnership project of the PO "STA" and the NC's Secretariat developed a Model regulation on women's board of a local community, which describes the mechanism of interaction with local authorities.

In recent years, training seminars and round tables on gender are periodically conducted for heads of ministries, departments, state administrations, and local government bodies. However, neither the republican nor the local budgets contain means for raising awareness and gender competence of public servants. All educational activities are held with the technical and financial assistance from international organizations,

It should be noted, that the first and second National Actions Plan to achieve gender equality do not provide for special measures aimed at meeting the specific needs of older and younger women, women with disabilities and the social protection of women from minority and refugee groups.

75-77. Despite the fact that a system of collecting gender-separated data in the field of economic, social and political development has been created in the country with the support from international organizations, the government does not conduct comprehensive research and analysis of the impact of socio-economic and political reforms in the country on women. Almost all the existing research in this sphere is implemented within projects of international organizations and NGOs. The government budget does not provide means for publication of a compendium of gender-separated statistics. It is published at the expenses of international organizations.

ARTICLE 4.

Accelerating the achievement of equality between women and men

82-92. Kyrgyzstan has adopted a number of regulations, which contain measures to ensure an achievement of gender equality through special measures.

Art. 23 of the Law "On the Basis of state guarantees of gender equality" states that the Jogorku Kenesh of the Kyrgyz Republic shall appoint judges of the Constitutional and Supreme Courts, as well as the members of Central Elections and Referendums Commission of the Kyrgyz Republic, and auditors of Accounting Chamber of the Kyrgyz Republic" taking into account the same sex representation of no more than 70%. However, this law does not contain similar provisions governing the use of special measures for appointment to the posts at the decision-making level in cases of promoting candidates by the President and the Prime Minister. The law also lacks a mechanism of responsibility for its non-execution.

The Presidential Decree №136 dated March 20, 2006 "On measures to improve gender policy" contains the rule, which states "To consider appropriate to ensure at least 30% representation of women in government bodies and local authorities of the Kyrgyz Republic, including at the decision-making level". At the first glance, this rule can be considered as a special measure to achieve gender

equality. However, the wording "to consider appropriate" made this provision purely declarative in practice.

ARTICLE 5.

Sex roles and stereotypes

94. Despite the existence of the bodies in charge of gender policy in the office of each ministry and departments, their inclusion in the implementation of the NAP, in most cases, is formal. In particular, the Ministry of culture and education, science and youth policy has failed to implement plans requiring considerable expenses for promoting gender equality. More over, it has failed to conduct activities that entirely depend on the political will of relevant programs' management. Besides, the Ministry of Education has not yet demonstrated its will to develop the state standards for a Gender course. A gender component exists in university courses as an elective and solely due to teachers' initiatives.

According to the Medium-term Country Development Strategy measures to achieve gender parity in education - compulsory gender expertise of textbooks and curricula, special measures for young men entering the teaching profession to be taken in higher educational institutions - are not even discussed at the Ministry of Education.

The Ministry of Education does not exercise control of the secondary schools programs which have introduced "Rearing Lessons." In practice, religious servants (as a rule, Islamic imams and moldos) preach the foundations of their religion during these lessons in most of the schools, thus, violating the constitutional principle of separation of religious and secular schools.

The State Commission on Religious Affairs does not take into account the gender perspective in their work. Not only does the Commission fail to follow the laws of the KR requiring the gender expertise of decisions, but it is not fulfilling its direct functions: it does not determine the state position on key points of current political processes. For example, with the lack of adequate comments from the government structures to control relevant issues, releases of reactionary-fundamentalistic program "Kolomto" at the NTRC, public statements by government officials and leaders about having Hadj or having polygamic family and other facts of institutionalization of Islam in the lives of citizens, including in politics, continue being broadcasted.

Often, public entities themselves make retrogressive decisions under a pressure of conservative traditionalists and radical Islamic groups. In particular, the Ministry of Justice has legitimized the right to take passport pictures of women in head scarves. The Ministry of Education banned the introduction of courses on healthy lifestyles into the school curriculum, in the allegations by small group of traditionalists and extremists against authors of the book in defilement of Kyrgyz youth. The Ministry of Culture and Information does not consider necessary to carry out state regulation in the media, even in the extreme cases of discriminatory practices.

Besides, it is the key state institutions that take the offensive on civil, social and cultural rights of women. Namely the Ministry of Justice has initiated a discussion about legislative decriminalization of polygamy. The Office of the Ombudsman initiated a parliamentary hearing on the criminalization of abortion performed under social indications. Regardless of the language of broadcasting and genre, not only does a vast majority of the leading media reproduce traditional patriarchy values and promote gender discriminatory practices against women, but they also serve as loudspeakers of intolerance towards otherness and aggressively oppose democratic policy of equal opportunities. One can state that with respect to gender policy the cultural and ethical standards have long been lifted for most of the national media and the NTRC.

The Ombudsman Institute established in 2002 has not integrated gender issues in its work. It does not share sex-disaggregated statistics of referrals. Propositions by the civil society and parliamentarians on the introduction of a gender responsibility to the position of the Deputy Ombudsman - have been rejected, despite the availability of vacancies.

Gender Stereotypes of a conservative nature are not replicated in a society by inertia, but have structural reasons for reproduction in the consciousness of masses. Firstly, the practice of a "wash-off" of women from management spheres leads to forgetting the concepts "women-managers" and "women-leaders" and perpetuate a stereotype that a woman is a bad manager and that her vocation and her lot is a family house. Secondly, the state media does not promote the image of active women holding key positions in professional spheres. Nation opinion formers can freely express sexist ideas and statements in the media. Lack of law enforcement in the cases of promoting sexist ideas (including such discriminatory practices as bride kidnapping / polygamy / forced early marriages or other forms of domestic violence against women or the hidden character of such facts) does not support the establishment of a social regime favorable for the promotion of gender equality.

94. According to the monitoring of regional and national print media, held by activists of the Network "Women can do it!", the ratio of volumes of publications in favor of men and women is 9 to 2. Moreover, the world of women in the media is associated with the family fireplace and restricted to the family roles or social problems and risks (prostitution, drug abuse, crime, etc). The world of men looks predominantly like a world of successful, active and dedicated players, which is not limited by time or space. Given that women contribute almost crucially to different segments of the country's economy, information means create inadequate images and picture.

For the purposes of analyzing the causes of gender imbalances and discrimination in the information field is the lack of a system controlling gender information policy. There is not a single study at the national level that would inform public officials about the state of affairs in the field of gender in the press and on television and radio. Isolated studies of gender aspects in media are conducted irregularly for the international organizations and are not adequately circulated among those who affect decision-making.

97. Government statistical agencies do not track the dynamics of early marriages. Measuring the extent of the phenomenon is difficult because of hidden nature of illegal practices that accompany early marriages. Data of crisis centers show an increasing trend in the numbers of women seeking help - victims of early marriage. As workers of crisis centers witness, in early marriages, young girls become a free labor force in the house of the husband, they are powerless and poorly educated. Early marriages, as a rule, are not registered in public bodies, children born in such marriages either do not have birth certificates or get them very late. Women in these families tend to have no property rights.

State institutions also recognize the growth of early marriages as an established fact. Indirect indicators of the existence of early marriage are the number of children born to women between 15 and 18 years old. The growth of early marriages in the country was not so much due to objective causes, such as poverty and unemployment, but more due to a lack of a state effort on the issue. On the one hand, a proper control of the circumstances of each request regarding early marriage cases is not established. On the other hand, there is no clear information strategy of the State on overcoming patriarchate stereotypes about benefits of early marriages for girls and their families.

98-102. Bride kidnapping means the strategy of a forced marriage and a violence against women. The Criminal Code of the KR provides for punishment for the abduction of women for the purpose of marriage, ch.3 art.154, 155. Nevertheless, the bride kidnapping has become a widespread practice in the past decade.

One of the first sociological research which factually "opened" this problem for critical reflection on this issue was a study led by Professor of AUCA Robert Kleinbach in 2004. AUCA sociologists found in the study that more than 35% of women live in forced marriages and many have been raped during

kidnapping. The sociological study is also consistent with the data of crisis centers. In 2006 only, 242 women, victims of kidnapping, referred to various crisis centers of the KR.

Quoting statistics of filed criminal cases on bride abductions, the Third Periodic Report does not provide further data on the number of convicts on Art. 155 CC KR in accordance with the allegations, and does not provide information on types of liability applied to persons whose guilt was proven. This attitude to key indicators of the state combat against bride kidnapping is not a coincidence. The fact is that these statistics are not tracked by law enforcement bodies and limited to a minimal information under implementation of the regulatory framework in the combat against violence against women.

According to the results of studies of the Association of Crisis Centers (Report 2007), official statistics does not reflect the realities of the problem, as the majority of women-victims do not refer to law enforcement or other government bodies to restore their rights violated because of the fear of publicity, retaliation by the kidnapping men, lack of trust to law enforcement bodies, primarily due to corruption in militia. Despite the existing legal framework, there is an absolute *factual* disregard of the bride abduction problem from the state as of a *crime* that had been identified in the "Monitoring the respect for the rights of girls to personal liberty" (example fo Alay rayon of Osh region) conducted by the Association of Crisis Centers (2007).

The Monitoring showed that representatives of law enforcement agencies have been slow in protecting the interests of victims and are turning a blind eye to the facts of abduction, justifying them with the fact that the victims themselves do not file complaints about this crime. Affected girls and their relatives have difficulties in filing complaints, having a just hearing in courts and obtaining a fair judgment. The last statement demonstrates numerous instances of violations of the rights of women identified in the "Monitoring the respect for the rights of girls to personal liberty."

"My daughter was abducted by deception and sent with her husband to grow livestock in the mountains in late 2006. She was working hard from morning till night. When she fell ill, she was thrown to the street without a penny. She returned home, but she has lost her job. I referred to Alay DBIA to file a complaint in which we demanded that the rapist at least offsets the amount, which she lost while working in his family. The police did not accept the complaint, I was cursed, laughed over and sent to court. I was deeply humiliated... There was no moral strength and willingness to go the court... "

Mother of a victim of abduction, village Gulcha

Underestimating the damage to the victim, a lack of social and legal state institutions designed to provide social, legal, and other services to victims of kidnapping, a formal approach to the realization of human rights, lack of understanding of the concept of human rights by relevant governmental structures, and impunity for committed crimes -- all this creates conditions for increased number of abductions of girls for the purpose of forced marriages.

Case of Adjara, Bishkek city

"I was going to be late to my work that morning. My neighbor - employee of the District body of internal affairs with his friends in a car, offered a drive... Eventually they took me to his motherland to a faraway village in Talas province to marry him... Driving was a policeman and the rest were also law enforcement, a total of 8 guys were on the two cars. I remembered each of them. They were making bad jokes and were rude on the way... I managed to call my family, and they reported to the local prosecutor's office. The eight men brought me, in bruises and helplessly weak, to the hands of waiting relatives. I began experiencing strong psychological pressure...

Men in civilian dresses came and said they were from the Prosecutor's office. I was waiting for an assistance from them, but, instead of listening to my story and protecting me, they started talking me into writing a statement that I am here by my own will and everything is in

place. I did not write such a statement and asked to leave me alone until my parents arrive. My relatives came and took me back.

It was very difficult to apply with a complaint, they would not take it or when I insisted they would take it but not register as expected. I applied with the complaint to Lenin District level bodies of internal affairs, the Prosecutor's office, the NSS, the Jogorku Kenesh, the Ombudsman... Only after intervention of a human rights organization "Kylym Shamy" and after 15 days of tribulations my complaint was legally registered in the Lenin district. During this time, my "fiancé" managed to resign from the rank of a police officer...

No matter how hard I insisted, I did not see the seven guys involved in the abduction anymore – neither as the indicted nor as the defendants. In the long process of investigation and consideration of the case in the district court, which lasted 9 months, I have experienced all: threats, pressure, persuasion, attempted bribery, tears, neurosis, doubt, fear and suffering. These months seemed years to me, I was only wishing that everything ended quickly, like a dream, many times doubted my own steps... I was scared. I am scared now, a lot of police officers know me, they throw offensive statements to my address on the streets, I am afraid to walk alone. All this time I am supported by parents and friends.

In August, the District Court made its decision "to apply to the perpetrator 2 years of serving penalties in a settlement." I do not want to appeal, there is no strength to do this, and my lawyer said it was unlikely that anything could change.

Defendant filed an appeals and the City Court reduced the punishment to a probation, which was cancelled due to amnesty. He told me that we will meet in the Supreme Court ... I can not believe his actions will be justified and he will work again in the internal affairs bodies and protect citizens. But who will protect us, my friends and sisters, who are also brutally kidnapped?... And these seven associates are quietly working in the law enforcement system and exercise their next insidious plans...

I am concerned about young rural girls, because they are more prone than I am. Because they are not always supported, even by their families and close people. This is terrible... "

Thus, the State has not yet fulfilled obligations to ensure realization of women's rights, including the obligations on the improvement on inactive laws and the introduction of special training systems for the law enforcement, as well as the approval and implementation of the state education program of the objects and subjects of abduction and people surrounding them based on a meaningful legal assessment of bride abduction on the basis of the human rights concept. (final recommendations (37) 169 (38) 170).

37 (169), the Committee is concerned at the continuing persistence of the practice of bride abduction and polygamy, despite the fact that this practice is banned by law 38 (170), the Committee encourages the State party to take urgent measures to ensure the enforcement of its laws that punish such practices. The Committee also recommends that the State party adopt a comprehensive and effective measures, including training of judicial authorities and law enforcement and public information campaigns to eradicate the practice.

Final recommendations 30 - Session of CEDAW Committee

The combat against bride abduction, polygamy and domestic violence is still a sphere of work only of the civil society, with the support from international organizations. It is happening in the conditions of declaratory rhetorical strategies of government structures. Those measures to combat the stereotypical attitudes towards bride abduction as tradition, mentioned in the Periodic report, are entirely initiated and organized by non-governmental organizations. Despite the special recommendations of the CEDAW Committee № 51 and 52 on the urgent need to enforce laws

punishing for the practice of bride abduction and polygamy, the government limits itself to acknowledgement of such findings and description of the efforts of civil society institutions.

Moreover, under the flag of the movement to humanize the system of criminal punishment, Minister of Justice KR personally initiated an amendment to the CC KR on the decriminalization of polygamy and "mitigation" of responsibility for brides kidnapping. Only a consolidated action of the expert gender community and healthcare community, with the support of several international organizations made possible to block the initiative of the chief lawyer of the country. At the 2006 Parliamentary hearings, experts managed to convincingly prove reactionary nature of the proposed changes to the CC KR in the wake of the humanization of responsibility for polygamy, bride kidnapping etc.

Despite the adoption of a specialized law "On the social and legal protection of victims of domestic violence" in 2003 and approval of the security warrants system (temporary and court protective orders) family violence remains one of the most frequent crimes against women.

This is primarily due to the fact that to date, the introduction of the Law and protective orders in the everyday practice has remarkable difficulties. The reason is that the system for assessing the performance of law enforcement agencies and effectiveness criteria still do not facilitate the interest of militiamen to register each fact of domestic violence and to work on them.

Interestingly, the law enforcement structures' disinterest in the outcome of the fight against domestic violence is indirectly reflected in the nature of the data held in the Ministry of Internal Affairs system. While there exists statistics on the treatment of victims of domestic violence and relevant criminal cases, the Ministry does not have the data on how many of the appeals ended in courts, what were they and whether recidivism exists among those punished for domestic violence. Such data exist in principle, but in another department - the judicial department. The Ministry of Internal Affairs does not receive and does not track this information.

An important part of the problem of the low interest of the police in combating brides kidnapping is the inadequacy of working with militiamen in programs against domestic violence. Given the frequent shift of the young militia staff, a systematic work with the militiamen, especially with precinct officers, should be carried out not by projects and programs of civil society, but on the basis of the public system.

In 2005, there are changes in the structure and concepts of work of the MIA. In particular, a reform has started, a part of which was the division into a criminal and public police. Criteria for evaluating the performance of the precinct inspectors have changed. So, instead of crime detection criterion the work of precinct inspectors now targets preventive measures.

Continuation of such reform could lead to a more successful battle against domestic violence. However, a changing political climate in the country and strengthening authoritarianism has prompted changes in the course of the MIA and turn down of the police reform. In these circumstances, the fight against domestic violence in the MIA automatically becomes a profanity.

105. The 16-day campaign against violence against women is carried out for several years by the civil society and with assistance and support of international organizations. Involvement of the state in the campaign is due to the civil society's efforts. The state operates under a rhetorical strategy, expressing its inclusiveness and writing these measures up in the reports on implementation of the National Action Plan for achieving gender equality.

One typical example: monitoring of the news for October - December 2007 has not revealed a single release on the theme related to bride kidnapping or domestic violence. Although the National TV typically monitors professional holidays and landmark dates, the campaign "16 days against violence" carried out by civil society with support from international organizations had virtually no coverage on the national television.

Meanwhile, women's NGOs are very active and implement multiple tasks within the campaigns: public awareness raising through actions at the local level, production and distribution of posters, pamphlets, seminars and meetings. One of the most active organizers of the campaign in the republic are members of the Association of Crisis Centers. However, their numerous initiatives - for example, opening hotlines for victims of gender, family violence and for girls who have been victims of abduction, are not supported by the state.

106-110. In the past two years, the Secretariat of the National Council on Family, Women and Gender Development has been working with the most active Islamic groups of women. At the same time, the Secretariat has not developed a clear strategy and objectives of such interaction that often leads to equating public positions on the most important gender issues with the position of Islamic women's groups.

117-120. For more than a decade, a micro-credit infrastructure was being formed in Kyrgyzstan. Various international projects and programs work to support the micro-credit system, recognized as an effective tool to combat poverty. There are successful examples in the development of micro-credit groups, self-help groups, the development of craftsmanship, the creation of business incubators and others, beneficiaries of whom are women.

The National Employment Program (NEP) of the KR until 2010 reflects gender aspects of the policy in the task of receiving income-generating work by women, which would improve the situation with the women's equal access to property and resources (p.1.1). At the same time the NEP does not take into account that women are not a homogeneous vulnerable group and thus requires differentiated strategies for truly vulnerable groups.

As a primary strategy for income-generating work, improved access to microcredit resources the NEP helps to escape from the extreme poverty, but does not solve the problem of overcoming poverty as such. Therefore, in the face of the elusive possibility to earn more and quickly going to an overseas recruitment, preferences are with the more risky option. Material problems of many women are so hard that they agree to any possibility of earning abroad, which seems to them a place where they can solve their problems.¹

In the latest period, aggravation of poverty due to the vast networks of social ties is becoming a key risk factor for many rural women to be recruited into traffic routes. Burdensome rituals and ceremonies to maintain solidarity in a tribe, community and other frameworks make women into debts and increase their credit debts. Gradually, the volume of debts reach such amounts that women are not in the position to solve such a task in a legal ways at home country. The need makes them to accept risky proposals for employment abroad with a high level of earnings. Failure to account for such important aspects of poverty can be fatal.

A key success factor here is the effective coordination of actions in all national programs and projects.

121. In addition to an overall marginality of gender issues in the media in the country, gender regime of the NTRC is not allowing capable journalists writing on the topic of gender to hold key positions in its editorial hierarchy and influence decision-making processes. For a long time, the prime-time of the only national channel was full of openly reactionary transmissions, calling to bring machismo regime to families and to the society.² Such practices have been possible owing to the fact that representatives of radical Islamic wing (opposing even the official mosque recognized in the State) worked in the NTRC management. These Islamic forces helped to attract serious investment in a campaign to sponsor radical religious broadcasts. In November 2007, the new leadership of the channel committed to strengthening the secular and democratic approach and in the first place closed the program "Kolomto", abolished public preaching and praying on the air, and fired the

¹ Hadjimuratova N.V. International migration in Kyrgyzstan./ International migration in Central Asia: challenges and problems. Materials of international conference under the auspices of UNESCO. Almaty 2006.

² This is about NTRC, which unlike other private and state channels, has technical capacities for country-wide coverage.

organizers of "Islamic" broadcasts. However, due to the strong support of influential political groups, Islamists have been able to come back to the channel and re-open their transmissions.

Another problem in the information policies of television is advertising of goods and services. Exploitation of images of women as objects of consumption goods, basically reflecting biological sexuality is actively continuing at almost all TV channels. The woman appears as an object of violence, as a victim, that is a hidden propaganda of a image of using force against women, a covert gender program for youth and children.

Until recently, a number of international organizations working in partnership with local NGOs and interested in the work with gender television program, were implementing isolated projects on information coverage of gender issues. Lack of clarity, and of a gender media strategy coordinated between various NGOs and international organizations, unfortunately, dispersed scarce resources and the policy of advancing the equality in the information area.

The institutional mechanism for the promotion of gender equality is not here proactive and focuses on a formal approach. Symbolically, the gender program "Ak-Bosogo" was broadcasted intermittently for three years with the support of the women's program of the Soros-Kyrgyzstan Foundation by journalists involved in the training, NGO representatives and the Soros-Kyrgyzstan Foundation. Virtually all of this time, an attempt was made to close this transfer. The Secretariat of the National Council (later sector in the Division for Social Policy of the Administration of the President of KR) never responded to the facts of the closure of the program. In particular, since October 2007 this program was closed again by NTRC leadership, but there was no reaction from the institutional mechanism for the advancement of gender equality. Another example, the gender broadcast "Kypchytkych" produced with the support of the OSCE/ODIHR goes on the air on a commercial basis, although the institutional mechanism reports such particular transmissions as the work of the state in the information field.

123-125. In the past five years, despite the high turnover of journalists and joining new professionals unfamiliar with the gender equality concept/idea, there is a tendency of reducing gender information and educational programs of local non-governmental and international organizations for journalists. In addition, the fact that gender training of journalists is a part of the programs and projects of NGOs with the support of international funds, and not of the state programs makes the process unsystematic and short-term. Weak institutionalization of the state academic gender education in the absence of the highest level political will to promote gender equality policy turns into a misunderstanding, rejection, and even resistance to gender ideas from professional journalistic environment.

ARTICLE 6.

Exploitation of Women

In 2003 Kyrgyzstan has ratified key regulations to ensure legal guarantees to citizens, including women and children, an opportunity not to become objects of exploitation. Among these documents:

- The United Nations Convention against Transnational Organized Crime
- Convention on the prevention of human trafficking
- The Protocol against the Smuggling of Migrants by Land, Sea and Air.

The CC KR also provides for sanctions against those engaged in exploitation and human trafficking. In line with the development of legislation in this area significant positive changes have occurred. In particular, the criminal liability of victims for the facts of trafficking and exploitation was removed.

Nevertheless, the socio-economic and cultural factors determine the existence of the practice of the exploitation of women in Kyrgyzstan. Recognizing the problem of sexual exploitation and slave labor of women and children, the Government, however, has not taken effective measures to prevent and combat these phenomena. In particular, Kyrgyzstan still has no sex-disaggregated official statistics on human trafficking. Nevertheless, one can learn from the media or departmental reports about the numerous facts of labor and sexual exploitation of our fellow citizens who left as labor migrants or were smuggled by traffickers.

Characteristically, in the Third periodic report, Art. 6 "Exploitation of Women" the Government report is confined primarily to the framework of the implementation of the Law "On social and legal protection from violence in the family." Since our report is an alternative to the periodic one, we have to limit commentaries presented in this section to descriptions of the actions of the State.

126-128. Law of the KR "On the social and legal protection from violence in the family" (2003) regulates relations in the field of social and legal protection of victims of violence, and provides the possibility of bringing perpetrators of violence to the criminal and administrative responsibility.

The law defines 1) subjects, in relation to which the family violence occurs, and their rights; 2) the subjects to controlling and preventing family violence, providing social support to victims of family violence, and their responsibilities; 3) organization of the social and legal protection from family violence. The Act does not contain a list of violent acts that relate to crime, referring to the CC KR.

The administrative law KR contains a separate article on family violence, which provides for the possibility of administrative responsibility for the physical, mental and sexual abuse in cases which do not entail criminal liability.

In general, the enforcement of preventing and combating violence against women and girls in general is negative and traditional: there exists the law, but in practice the rules are rarely applied.

Activists of the combat against domestic violence offered to further develop the legislation in this area, so that an additional responsibility for marital rape is introduced (Article 129 of the CC KR), and that along with having the administrative or criminal liability perpetrators of the violence to use mechanisms of recovery of the material and moral damages caused by family violence. It is also expected to provide for changes in the civil law on simplified process of cases of divorce, division of property, definition of the place of residence of children in the events when a divorce is a result of a family violence.

129-131. While noting improvements in the collection and publication of official statistics on crimes against women and children and family violence, it must be also noted that the published information does not reflect the real situation. In particular, the system of gender-disaggregated crime statistics developed and approved in the structure of the Ministry of Internal Affairs with the support of international organizations has not been yet introduced into the practice of law enforcement.

The public report contains information on release of 211 temporary protective orders in cases of family violence. However, according to the Association of Crisis Centers and the results of survey among police officers in the Sverdlovsk district of the capital in 2007 it was found that only 2% of the respondents are well aware of the Act and only 3 police officers have actually issued protective orders. Moreover, despite the existence of legal grounds for the possibility for the victims of family violence to receive temporary protection orders and court protection orders, in practice it is very difficult to obtain such orders.

Case from the practical work of Crisis Center «Sezim»:

During one year of work with victims of family violence only one protective order was issued. The order was received with the assistance from a lawyer and workers of the crisis center, after numerous referrals of the victim to District level bodies of internal affairs, and prosecutor's office, after receiving the results of forensic medical expertise, and after her

living in the crisis center.

In cases where women are able to get interventions from law enforcement agencies to combat family violence cases, the violator (husband, partner, etc.) can avoid criminal liability. Instead of bringing criminal cases to investigation and transferring them to courts, law enforcement agencies limit the punishment to administrative charges: a fine or an administrative arrest for a period of 3- to 15 days. Thus, in many cases, family violence performer is not held responsible in strict accordance with the law, and pays a small fine. In conditions of a high-level corruption in law enforcement the chances of closing such criminal cases for a certain reward are very high.

Specialists in law note that inaction of the Law "On the social and legal protection from domestic violence" and the Order of the Minister of Interior KR № 388 from October 7, 2004 "On the approval of the instructions on the introduction of temporary protective orders in practical work of the Department of internal affairs KR and the introduction of relevant statistical reporting " has deep roots. The matter is that in these norms have originally built-in contradictions of principles distinguishing the provisions of the Criminal and Civil Codes: the presumption of innocence and the presumption of guilt. It is in line with the principle of presumption of innocence in the Domestic Violence Act, a victim of violence must prove the fact of violence.

Moreover, the law refers these actions to cases of private prosecution, and in conditions of a repressive and patriarchate culture women experience difficulties in resisting the pressure from the community. It is obvious that there is a need for examination and for fundamental changes in the law. Given the negative effects of the proliferation of violent practices against women on the society itself, activists of crisis centers initiate translation of this law to public prosecution case. To do so, a change should be introduced in ch.1 art. 150 of CPC KR "reasons and the grounds for instituting criminal proceedings": the possibility for crisis centers and other social assistance service working on the prevention and combating violence to submit complaints with the consent of a victim.

Official statistics show that during the period from 2004 to 2006¹ the number of crisis centers, the aksakals' (elders') courts and other specialized services for domestic violence rose by more than 50%. However, the Monitoring by the Association of Crisis Centers proves that the majority of women do not go to law enforcement or other government bodies and local professional services for the restoration of their violated rights, fearing publicity and revenge from men and not believing in the justice of the militia. Despite a positive character of the inclusion of the indicator in the process of collecting official statistics, it is important to note that one can not qualitatively assess the situation using this indicator only. There is still no official statistics on the number of bride kidnappings. Also today, there is no statistics on such crime as entering into de facto marriage with a person under 18. At the same time, observations of women's organizations, especially in regions of the country, early marriages are becoming more and more frequent. The lack of cases in referring to law enforcements and instituting criminal proceedings under the article "Entry into de facto marital relationship with the person who has not attained the age of marriage" demonstrates that this phenomenon is increasingly considered at the official level not as a violation of rights and discrimination, but as a cultural tradition and norm.

133, 137. The National Action Plan for achieving gender equality for 2002-2006 provides for the establishment of a network of organizations that render free advice to women subjected to violence and potential victims. NAP also provides for a government support to crisis centers and expansion of their networks in the regions, and an establishment of a network of public crisis centers. However, this obligation of States was not fulfilled. The victims of violence, including sexual violence, are forced to address legal, psychological, medical, social assistance issues through women's NGOs.

¹ Since the moment the indicators «referral to assistance services» started being regularly monitored

As a result of the initiative of women's organizations within the social movement for women's rights, special centers are established in every area. These centers offer minimal assistance to victims of violence. All centers are organized and were institutionally developed with the help of foreign funds, such as from Hivos (Netherlands) and the Soros-Kyrgyzstan Foundation.

In the State report, as well as in the annual Addresses of the President of the KR to people, the role and contribution of NGOs in addressing violence against women are deeply appreciated. The state recognizes the need for the government support to NGOs in providing assistance and support to victims of violence, but such statements not supported by real practices are no more than a declaratory rhetoric.

There exist isolated examples when local power structures supporting the activities of the crisis centers assumed a responsibility for providing the centers with premises and paying utilities. Support to the crisis center "Sezim" in Bishkek city from the local budget is one of such examples. However, this assistance is not systemic and depends on a personal attitude of the leadership of local government.

The Third periodic report justifies the lack of the state funding of the crisis centers by a dire economic situation in the country and a negative attitude to women referring to law enforcements and crisis center for assistance. Such justification is demonstrating the lack of the state strategy in this area. According to the Ministry of Finance KR, the country is steadily increasing its economic capacity and the budget profit in 2007 was sufficient to give start to major national projects, for instance, construction of hydro-electric cascade «Kambarata-2» using internal sources. Meanwhile, its preliminary budget is more than 5 billion som (approximately USD 137 million). Thus, support to crisis centers is not under the government's attention not because of objective insurmountable economic reasons, but because of the dominance of traditional subjective perceptions of the decision makers.

Activists of the crisis centers were promoting the idea of bringing changes through the Law «On social order», namely defining the list of social services (including the services of the crisis centers) necessary and prioritized for the state and the society, and also the development of the criteria and procedures of the competition based support that would institutionalize services preventing violence and assistance to victims. However, adopted in early 2008, the Law was of a framework nature and did not determine the list of services, therefore, the procedural parts now have to be guided by other regulations. In this way, the hopes of crisis centers are not fully realized, and the possibilities for further institutionalization of services to combat violence will be defined by near law enforcement practices.

134. The statistics listed in the State report on the number of the persons under preventive control performing offences in families does not give evidence on the dynamics of preventive work, as the statistics is given for 2003 alone. Moreover, using one indicator only it is impossible to assess the effects of the work of law enforcement agencies to combat family violence.

138, 144, 145. Awareness raising among various target groups is conducted at the initiative and direct participation of NGOs funded by international organizations. State structures are actively cooperating in this regard. A good example is the experience of the campaign "16 days against violence". During the last two years, the national campaign under the slogan "A Life Free of Violence is everyone's right!" is conducted on the basis of association of government organizations, NGOs and international agencies. This informal network of some 15 organizations has the Coordinating Council, which solves problems of a common concept development through relating the plans of various organizations working in prevention of violence, pooling resources, and organizing joint activities. However, cooperation of the government and civil society in the fight against violence lacks systemic and focused work towards achieving results.

Among the most pressing public concerns for the prevention of violence are the following:

- Institutionalization of learning how to prevent violence in the education system;

- Lack of training standards for specialized groups - the judicial and law enforcement systems, health workers and public servants;
- Development of massive national awareness campaigns and media coverage in order to build a culture of non-violence. Accordingly, the information work, acting not only in the "defensive" paradigm, but also promoting alternative images, traditions and rules of daily life require serious conceptualization and a wide-spread signs-and-symbols work. An important component of this is the position of state structures, their political, institutional and financial support. In organizing awareness-raising campaigns, it is important to apply adequate language and means of influence on urban and rural residents. It is important to track effectiveness of the impact of information campaigns.

146. So far, there are no reliable studies conducted on information campaigns' effects. Crisis centers and other non-governmental organizations can not reliably know which groups of citizens have the most notable effect, what audiences fall out of scope of the information campaigns and other critical elements to adjust further information strategies and campaigns.

147 - 148. Coordinated groups responsive to the violation of women's rights in rural communities, have been established with the effort of the Association of Crisis Centers. The state is not actually supporting this important initiative. Without the support from the state and local governments, only half of such groups continue to operate out of established 14 groups. Such results after the end of projects and programs are not uncommon. Problems of the partnership limited by activities of the civil society initiatives with the support of international organizations is the lack of mechanisms consolidating the effects/impact and institutionalization in the communities. Much of this is happening because analysis of the project/program work is not conducted and the experience and tools are not subsequently introduced into daily activities of local and central authorities.

152. The Periodic report presents statistics on crimes committed against women, distinguishing crimes against property, disorderly conduct, intentional slight bodily injury and rape. Such common types of violence as bride kidnapping, sexual harassment and other are not even among the listed types of violence committed against women.

153-154. Descriptions in these paragraphs of the State report can not be regarded as relevant to the State activities, since the figures pertain solely to programmatic activities of the Soros-Kyrgyzstan Foundation. Violence against women is not a priority for the State, which does not have structures to support women - victims of violence or living under the threat of violence. The state has never acted as a buyer of such services, thus, ensuring lack of help to existing crisis centers.

Twelve NGOs of the Association of Crisis Centers render psychological, legal and other assistance to victims. Only one of the crisis centers in Bishkek has an opportunity to provide temporary shelter for affected women (total capacity 12 people) – victims of both violence and human trafficking. Only women can be customers of the crisis center, services are not offered to women with children, including minors.

For a city with more than 1 million population, which is the center of gravity for internal migrants, transit migration, a small shelter can not solve even a small share of the existing problems.

Crisis centers provide legal assistance to victims only by offering consultations and are not able to render a wider range of qualified legal assistance and protection.

155-156. There is no data that reflects the situation of abduction of minor and young girls for entering into actual marriage relations. This issue requires separate attention of the state. Rural girls, girls from migrant families and other vulnerable groups have a higher risk to be forced to marry in young age. For example, it is known that in communities of Kayrylman, returnees from mountainous areas of Tajikistan, early forced marriages of juvenile girls are fairly common practice. Girls who are brought up in a social isolation, without access to education, can not resist community and fight for own rights

in a situation of coercion. Virtually all of the facts of forced marriages and kidnappings of such socially vulnerable women and girls remain hidden for society.

158. The KR legislation does not have a specific concept of "sexual harassment". The Criminal Code of the Kyrgyz Republic provides for responsibility for crimes against sexual integrity and sexual freedom, such as "rape", "violent actions of a sexual nature", "coercion to perform sexual acts", "indecent", "sexual intercourse and other acts of a sexual nature with person who has not attained the age of sixteen. "

In cases of sexual harassment it is possible to apply norms of Art. 131 of CC KR "Coercion to perform sexual acts," but only if the cases involve violent acts. At the same time, grounds are insufficient for sanctions in cases where sexual harassment occurred in a different form - obscene gestures and suggestions, touch, vulgar suggestions and jokes etc. A further development of the law requires changes in labor legislation KR, particularly the inclusion into labor contracts of the item on intolerance to sexual harassment in the workplace, and the responsibility for such acts.

159–160. The data in the official report on the increase in the number of criminal cases filed under Art. 155 CC KR from 2002 to 2005 is not substantiated by information on the involvement of the defendants prosecuted and on sentencing. Moreover, even two-fold increase in the number of prosecutions (from 15 to 27), compares little with a picture of the apparent increase in cases of bride kidnapping. Some estimates indicate about three-fold increase in the last 10 years in the number of crimes involving coercion young girls into marriage.¹ A proportion of marriages accompanied by bride abduction, varies from 30% to 80% of all marriages in some rural regions. All experts note the widespread of this practice.²

161. Statistical information on the incidence of trafficking in Kyrgyzstan is approximate, there is no one information center. Systemic monitoring and evaluation of the results is not conducted. Statistical categories for which the public authorities must be held accountable are not approved.³ International coordination with law enforcement services and departments on migration in the involved countries is only being formed. There is no comprehensive statistics yet.

To assess the situation, expert reviews are held and NGO data is used. Because of the fragmented information it is difficult to estimate how the figures of the Ministry of Internal Affairs, National Security Service, State Committee on Migration and Employment Services border controls compare among themselves and with the NGOs' data, whether these data complement each other or partially overlap (see Table. № 1)

Indicator/Source	2003	2004	2005	2006	2007 (Q 1)
Detentions at checkpoints of people with forged passports 4/ border control data	27 people	34 people	27 people	40 people	Not available
Identification of victims of trafficking and the illegal export ▪ Hotlines of the State					99 people from May

¹ According to the Concept of law enforcement reformation presented by MP Baibolov.

² «In peace with violence: inaction by the state – measures on combating family violence and bride kidnapping », September 2006 г.

³ Thus, the NSC received from the MIA data only on the number of crimes, not about the number of victims of these crimes.

Moreover, there is no data on the profile of the victims: women, men, children; purpose of the sale (labor exploitation, sexual exploitation, source of organs for transplantation) and other.

⁴ All of them women\ Monitoring and analysis of implementation of measures in the objective VI of the NAP on achieving gender equality in the KR for 2002 – 2006 «Decrease all forms of violence against women», p.18

Committee for Migration and employment in the KR <ul style="list-style-type: none"> ▪ NSS of Osh province ▪ NGO data («Golden goal», «Association of women-leaders of Jalal-Abad» and crisis centers «Kaniet», «Ayalzat») 				2006 to 1st quarter of 2007 (16–34 years old) 60 people 1 – 2006 242 people 2	
Returned from slavery 3 IOM		2004-2006 – 309 people (labor migrants, victims of sexual exploitation, minors, children)			
Assistance to victims of human trafficking 4 State Committee for Migration and employment in the KR	129 people	141 people	120 people5	44 people	9 people.
Received criminal cases under article 124 CC KR "Trafficking"6 Judicial Department of the Ministry of Justice KR				31	13
Of these:					
<ul style="list-style-type: none"> ▪ rendered convictions 				7 (including 5 women)	4 (5 people, incl 3 women)
<ul style="list-style-type: none"> ▪ returned prosecutor ▪ incomplete consideration 				21 2	5 4

In order to take adequate measures to prevent and combat human trafficking it is necessary to develop techniques for assessing the extent of this phenomenon and methods for collecting information and to explore models of trafficking. There is a need to monitor the dynamics of the problem of human trafficking on a national scale.

Moreover, it is necessary to coordinate the actions of uniformed services, border and immigration services, and community organizations to prevent, detect and combat the effects of trafficking, as well as to conduct the exchange of information on revealed facts of human trafficking, generalize, analyze and transmit them to the working group of the National Council.

162. Observed in the State report as a given, the cooperation between the MIA, NGOs and crisis centers is of a one-off nature. Information about "the mayor's office's allocating building to create a rehabilitation center for victims of trafficking in persons" has not yet become a practical step. A broad survey among professionals involved in the issues of civic initiatives and public service, showed that even these expert groups had no information on such a rehabilitation center.

163. Much of the women - KR citizens - under arrest in migration camps in the city of Sharjah, Dubai of the UAE, are victims of the slave trade. The adoption of appropriate measures to real criminals is not possible due to the lack of legal grounds (statements of the victims) for the prosecution. According to

¹ In 2006 an air flight to UAE was stopped in Osh city. There were 60 young women planned to be illegally smuggled for sexual exploitation. One of them was from Turkmenistan, others were from Uzbekistan.

² Including data of hotlines in Osh, Nookat and Kyzyl-Kia (21 cases).

³ Finkova O. Don't let yourself to be sold. Human trafficking in KR // News agency "Bely parohod". April 10, 2006.

⁴ Information of the State committee on migration and employment of the KR. Sept 14, 2007.

⁵ Same source

⁶ Same source

the latest data, at the present time about a dozen of similar criminal gangs specializing in trafficking are active in the country.

165–166. Statistics of crimes committed by women does not provide an opportunity to determine the proportion of crimes committed by women on the grounds of systematic domestic violence. Studying and a comprehensive analysis of this issue could provide a more clear answer to the question about the social effects of violence in the family.

168–169. References to the developed Concept of penitentiary system reformation in the KR for the period until 2010 given in the State report do not allow assessing the results of its implementation. Whether the conditions of integration of women into society after the end of the term of detention have changed when and if they have passed a special training program under implementation of the Concept? Whether rehabilitation centers have been created and function? Whether a post-rehabilitation work or even specific corrective work during their stay in a place of detention is needed? This is particularly true for women convicts which have long suffered domestic violence.

170–172. In order to increase the effectiveness of the article № 124 CC KR, the national parliament has increased punishment for traffickers to an imprisonment for five to ten years. Despite these modifications the law enforcement authorities, as before, have no legitimate reasons -- statements by the victims themselves -- for the prosecution. Many of the victims of trafficking, especially women, are afraid to report to authorities about their problems because of fears of persecution by law enforcement for the use of false documents or crossing borders without documents; revenge by the criminals, public condemnation, and publicity. A legal protection of witnesses testifying against traffickers is non-existent. According to a study conducted by the IOM, 73% of repatriated women - victims of trafficking have been experiencing illegal actions from law enforcements.¹ Therefore, not all of the incidents are reported to militia, in the best of situations victims refer to NGOs or crisis centers, if these latter are available.

On the other hand, society condemns such women, many families do not take them. Women are turned away from their homes and friends. Former victims of sex trafficking have become outcasts, and some of them begin earning through recruiting others to work abroad. Such victims create "second wave" of trafficking in women.²

Thus, the measures taken were not able to radically change the situation in the area of rights of women - victims of trafficking, and to provide them with substantial assistance. Further improvement of the legal framework is required in the form of development of the law on witness protection³, licensing regulations for companies taking people for work abroad. Changes relevant to tightening penalties for officials' misconduct related to trafficking are advisable.

175. Well written standards in the combat against violence, unfortunately, can not automatically ensure adequate legal enforcement. For example, the results of a survey of staff in the Sverdlovsk DBIA in 2007⁴ demonstrated that more than 88% are not familiar and have not heard about the Order of the Ministry of Internal Affairs (in 2004) and instructions on implementing the Law "On social and legal protection from violence in the family and temporary protection orders." It is clear that because of ignorance they already can not use the provisions of instruction in their daily activities.

173, 176. Study, prevention and overcoming the effects of trafficking in the country – these are the issues mainly concerning international organizations (the International Organization for Migration, Winrock International, the OSCE, etc.). These organizations financed activities of public organizations and crisis centers, as well as individual state law enforcement programs. The state practically does not fund this work. During the period from 2002 to 2006, the head and members of

¹ Monitoring and analysis of implementation of measures in the objective VI of the NAP on achieving gender equality in the KR for 2002 – 2006 «Decrease all forms of violence against women», p.5

² Tugelbaeva B., Problems fo prevetion of criminal violence against women. – Bishkek.2003. p.113

³ Preparation of the draft law was conducted by NGO «Golden goal» (Osh city) with the support of OSCE.

⁴ Survey was conducted by initiative of Association of crisis centers

the National Council on combating smuggling and trafficking under the President of the KR have changed three times.

The working organ of the National Council which consisted of two people was funded by IOM until 2003. Then, on April 23, 2004 to combat the illegal smuggling and trafficking a sector has been established in the department of international cooperation within the government, on the basis of the Decree of the Government of the Kyrgyz Republic. The sector stopped working in 2005 due to changes in the Government structure. The sector in the State Committee for Migration and Employment has become the working organ of the National Council. All of this is not suggesting continuity and improved performance of these structures.¹

The third periodic report lacks "information and data on trafficking in girls and women, the exploitation of prostitution and the measures taken". This fact is a result of non-implementation of a number of planned activities, such as the introduction of systematic monitoring of the treatment of victims of sexual exploitation, trafficking of women, the development and implementation of mechanisms of mutual, timely information for the purpose of coordination of state structures and NGOs.

The Program of measures to combat illegal export and trafficking in the KR for 2002-2005 is completed, largely through the efforts of the working state organ, in cooperation with international organizations and non-governmental sector, but the results of its monitoring results were discussed and did not become publicly known. Currently the measures to combat trafficking in persons until 2010 under a financial and methodological support of the OSCE and the active participation of non-governmental sector are being developed.

In order to provide systematic and consistent activities of the National Council it is appropriate to include permanent experts who will not change with a change of government, and together with them to discuss and adopt a program of action for 2007-2010 in the light of the achievements and omissions of the previous phase of work.

177. In 2004, the staff of the department of matters of foreign citizens of the MDCI MIA has acquired additional functional responsibilities for disclosure and suppression of crimes in the sphere of human trafficking. At the same time the number of servants in this department has not changed. It is clear that such working conditions will not allow the staff of the department effectively perform additional functional responsibilities. Apparently, that creating a specialized department of the MIA structure will contribute to improved performance of anti-trafficking work.

179. Anti-Trafficking Agreements have been signed only with two countries (Russia and Kazakhstan), but there are no similar agreements with such nations as China, Turkey, United Arab Emirates etc., where most of women-migrants go. However, even the existing agreements work only at the highest level and regulate mainly legal migration, while the problem of trafficking in human beings relates to illegal migration.

There is a need to establish channels of interstate exchanges with Russia and Kazakhstan on the identified cases of illegal migration, trafficking in women and migrant labor for sex services.

181. Altogether in 2006 and quarter 1 of the 2007 there were 44 new criminal cases under the Art 124 of the CC KR «Human trafficking». Of these, 11 indictments issued, 26 returned to the prosecutor, and 6 cases were not completed. Among the convicts - 8 women.

There is a need to monitor the activities of the judiciary regarding prosecution of human trafficking cases and to track violations of the rights of trafficked by law enforcement agencies.

182-183. Many criminal cases under Art 124 CC KR do not reach courts. There are also cases of re-classification of the cases under this Article to other, less serious articles, in particular the "fraud".²

¹ Monitoring and analysis of implementation of measures in the objective VI of the NAP on achieving gender equality in the KR for 2002 – 2006 «Decrease all forms of violence against women», p.18

² Golden Goal «Monitoring of situation with human trafficking in the Fergana valley. KR». 2005.

Most of the criminal cases usually deal with one person only and there is practically nothing known about a disclosure of criminal networks involved in this business.

Not only ordinary KR citizens, but also civil servants who are supposed to combat the phenomenon are involved in human trafficking. In the south there are disclosed known instances when for "considerable" money the law enforcement authorities turn a "blind eye" to the crimes and sometimes help traffickers instead of bringing them to justice.

184. Activities to improve skills of law enforcement and border officials are irregular and are conducted only with the support from international organizations. There are no developed plans and mechanisms regarding this direction of work.

Past workshops have shown that gender stereotypes and prejudices play a significant role in the work of public servants. For example, during a seminar for members of the staff of the Supreme Court, the Judicial Department and the judges of the KR (Judges training center, Women's Program of the Soros-Kyrgyzstan Foundation, 2006), in discussions, judges were referring to the cultural norms, customs and traditions; "forgetting" the existing legislation and adhering to the position prosecuting victims of violence. This approach is disturbing and indicates that judges can make decisions based on the existing traditional standards.¹

185. The NC and the National Migration Agency must seek permission to revoke the extension of the 1994 passports, which continue to be used for forgery in illegal smuggling of aliens.

187. In recent years, information work on migration and on the activities of traffickers among the public has significantly increased. In different regions of the country, seminars, and training courses are held and manuals are designed². Basically, awareness raising is happening in the framework of implementation of individual projects, but not as a result of a systemic work of government bodies. Potentially large-scale use of a preventive work through media and education and health systems towards already defined and specific (age, gender and area) target groups is hardly used.

In disclosing trafficking related crimes, especially selling women to sex slavery, the information in the media should focus not so much on the victims, but on criminals, revealing how they work.

Effective means of disseminating information is TV public service announcements (PSA), but the cost of running a PSA is not different from that of commercial advertising. This becomes a key obstacle to effective information campaigns.

The situation with the slave trade could significantly and positively change if the State Agency for Migration and Employment had initiated the development of programs for organizing legal, controlled labor migration, particularly of women. Under such program all components are essential: awareness-raising campaigns, special education, legal, language and professional courses and other.

188. Voluntary informal associations of non-governmental organizations working to combat human trafficking and prostitution have to go through critical stages of a real partnership and cooperation with government agencies in coordinating and integrating measures to prevent and combat trafficking in persons. However, without the state support any NGOs network would be unable to meet its objectives because the fight against exploitation, and trafficking opposes to the global structures with vast resources.

¹ Monitoring and analysis of implementation of measures in the objective VI of the NAP on achieving gender equality in the KR for 2002 – 2006 «Decrease all forms of violence against women», p.19.

² Women Support Center "Trainer's manual on prevention of trafficking in human beings". Winrock International, 2005

ARTICLE 7

Political and public life

Article 7 of the Convention requires States to take all necessary measures to eliminate discrimination against women in political and public life, including in the election, government posts, as well as the formulation and implementation of government policies and states that women must have equal rights with men to hold public office.

In the General Recommendations to this article the Committee specifically emphasized that the "participation of women in policy-making is necessary in order to promote the introduction of gender-sensitive approaches and gender mainstreaming in the public policy." To this end, the Committee pointed out that States must "make consultations and incorporate the views of groups representing the views and interests of women".

With regard to these two aspects, there is a need to comment and make additions to the statements of the Third Periodic report.

189- 190. During the reporting period, significant changes have occurred in the political representation of women. Without analyzing the characteristics of the state gender policy, it is possible to focus only on the results in political representation. Thus, in particular, the tendency of leaching women from higher leadership of the country's executive branch has dramatically increased and, beginning in 2005, Kyrgyzstan has entered a period of unprecedented history with zero women's representation in the National Parliament. The catastrophic collapse of women's participation in higher elective authority projected by most experts and civil society was the result of many years of systematic rhetorical strategy of the state gender policy and the formation of the electoral legal framework and its enforcement practices unloyal to women's leadership. During this period, a low level of women's inclusion in the highest executive hierarchies is also observed (3 women in the composition of the government).

Drawbacks in the gender policy of the state, the expansion of regressive trends and multiple threats to preservation of women's rights have contributed to associations of a number of civil society institutions around the task of lobbying broad women's political representation. Under a pressure from the civil society and with the intentions of achieving own interests, the top political leadership of the country has gone for approval of the proportional electoral system and the inclusion of a whole package of special measures supporting equal representation in the new edition of the KR Constitution and the new EC KR.

As a result of the 2007 referendum the electoral law enshrines special support measures - gender, youth, and ethnic quotas. Following this, the parliamentary elections at the end of 2007, again "returned" women to the highest elected body. Today, among the 90 legislators of the country 24 are women, representatives of three political parties. A political representation of women in the executive branch has also increased: four women now hold ministerial posts in the government.

199. The Decree of the President of the KR "On further improvement of personnel policies to attract women-leaders to the governance of the KR" provides a mechanism for the advancement of women at decision-making levels. But at the same time it is discriminatory as "in order to comply with gender balance and further strengthen the role of women in socio-political and socio-economic life of the regions [it] requires a mandatory appointment of most dignified women for the posts of deputy heads of regional and district state administrations, the local governments and assigns the responsibility for the social, cultural, educational and other matters".

This provision of the decree is discriminatory because (a) it allocates women to the positions of deputies, (b) defines their responsibilities only in the social sphere, and (c) introduces a definition of a "dignified" woman. Therefore, mentioning this decree as a positive step in support of women's leadership is not justified.

203-205. A high level of women's representation in the judiciary, noted in the Third Periodic Report does not guarantee that they, in the same way as men, are not exposed to gender stereotypes. The State does not take action to ensure that judges have knowledge and skills necessary for the administration of their duties in compliance with the principles of gender equality. The issues of judges training are assigned to functions of the training center within the Trial Department, but the program of judges training and retraining does not include courses to ensure gender-specific knowledge and skills necessary for the protection of women's rights and holding to the principles of gender equality in the judicial system.

The system of training and upgrade of qualification on gender issues for the state servants has been established on the basis of the Academy of Management under the President of the KR and in some high schools, but these courses are not included in the compulsory education standards, but are electives. The example of the Academy of Management, when due to the reduction of the load of a teacher a gender course stopped being offered is highly representative of the volatility of such non-institutionalized training based on subjective motivation and competence of individual teachers-enthusiasts.

209. This paragraph 3 of the periodic report provides data on distribution of the total number of workers employed in the bodies of state authorities and administrations. The following figures show that there was a trend of increasing share of women in public administration in general and in most activities' types in recent years.

	2003		2005	
	Women	Men	Women	Men
Total employed in the public administration	37,8 %	62,8 %	43,7%	56,3%
General governance	36,3	63,7	43,4	56,6
among them:				
legislative activities	6,7	93,3	-	100,0
executive activities	36,4	63,6	43,5	56,5
including:				
Republican activities, regional, (ray. City), rural authorities	37,1	62,9	40,0	60,0
Activities related to taxation	36,1	63,9	37,4	62,6
Customs activities	16,2	83,8	18,0	82,0
socio-economic governance	37,9	62,1	49,6	50,4
International activities	47,0	53,0	45,1	54,9
justice	42,8	57,2	41,3	58,7
social insurance and welfare	50,3	49,7	53,1	46,9

It is important to mention that the only sphere of activity, where the share of women exceeds share of men is “social insurance and welfare”. The smallest share of women work at Customs, and the growth dynamics is clearly insufficient. The same low growth is observed in the activities related to taxation, but the number of women in the judiciary and justice and international activities has even declined.

In addition to the industry-level analysis of labor segregation in the governance, it is necessary to consider indicators of women's representation at the highest levels of decision-making in the organs of the state power.

	Total in 2005		Highest posts	
Total employed in the organs of the state power and management	41,9	58,1	14.4	85.6
Jogorku Kenesh (Parliament)	41,7	58,3	0	100,0
Administration of the President and Staff of the Prime Minister	34,6	65,4	15,2	84,8
The Chamber of Accounts	26,0	74,0	0	100,0
Staff of the Supreme Court	54,2	45,8	0	100,0
The Attorney General's Office	23,6	76,4	15,8	84,2
The Ministry of Economy and Finance *	53,4	46,6	0	100,0
Ministry of Health	71,0	29,0	0	100,0
The Ministry of Education *	59,4	40,6	0	100,0
The Ministry of Justice	67,5	32,5	0	100,0
The National Statistical Committee	74,7	25,3	0	100,0
The National Examination Board	69,2	30,8	0	100,0
State agency on intellectual property	70,1	29,9	0	100,0

At the end of 2007 women were appointed to ministerial positions in these ministries.

It turned out that women make up only 14.4% of senior posts in the government. It is worth paying attention to the fact that this figure is an average of indicators in only a few departments - Administration of the President, the Administration of Prime Minister and the Prosecutor General's Office. There are no women at the highest level of leadership in the industries where they have traditionally constituted the majority of workers: in the ministries of Health, Education, Justice, the National Statistics Committee, the Attestation commission, and the Agency for intellectual property.

Issues not covered by the Third periodic report of Kyrgyzstan

The issue of effectiveness of coordination of actions to achieve gender equality by the State is raised marginally in the Government report. In order to ensure a full and real implementation of the Convention, the State must create and ensure the work of a system in which adherence to the principles of gender equality would be built into the government mechanisms, systems and decision-making procedures.

This is important not only for the advancement of the values declared by the Convention through public policy, but also for the continuous monitoring for consistency and continuity of the efforts of the State to reduce discrimination. In other words, the principle of equality between women and men must be supported institutionally and not simply left to the good will of a ruling government.

There is a tendency of gradual marginalization and weakening of the national institutional mechanism for the advancement of gender issues in Kyrgyzstan. Established in 1996, The State Commission on Family and Women's Affairs, Government of the Kyrgyz Republic and its collegial body - the Inter-ministerial Council, which was composed of the heads of ministries and agencies, was abolished. In 2004, the National Council on Women, Family and Gender Development under the President KR was established. In 2006, powers of the National Council were expanded through the inclusion, in addition to women's and family issues, of the issues of implementation of children policies. This led to a further marginalization of gender issues, their segregation to "Mother and Child" and biologization of gender.

According to the Regulations the functions of the National Council include coordinating the efforts of government bodies, international organizations, and NGOs in prioritizing the development of the gender policy. Its functions also include promoting the idea of gender equality among civil servants and the public, monitoring and evaluation of the implementation of government programs, and contributing to the gender analysis of budgets.

Members of the Government included in the National Council formally took their responsibilities, while the share and expert capacity of the civil society in its composition are clearly insufficient. The Council is an important body for the coordination of all branches of government, the civil sector, but needs to be improved to become an effective national mechanism for the coordination and monitoring of the measures to achieve gender equality.

The Chairman of the National Council is the State Secretary of the KR, which is the top-ranking public official. However, all State Secretaries are encumbered by other positions and possess strong gender stereotypes limiting their activities to rhetoric on the need to improve the status of women. Capacity building for officials of this level is complicated because of their unwillingness to learn and to change own existing prejudices and stereotypes.

The working organ of the NC was its Secretariat, a structural unit of the Presidential Administration. In the result of a reorganization of the presidential administration in 2007, the Secretariat as a separate unit has been closed down and its functions are now the responsibility of the Sector of Social and Gender Development of the Division for Economic and Social Development of the Presidential Administration.

Replacing the NC Secretariat (that previously focused on gender issues only) with a sector which includes the competence of regulating the whole social bloc leads to a changed consideration of the gender aspects. With this new consideration gender aspects of policies and problems are viewed as a part of social issues only. The threat is further complicated with fears of a rotation in the Sector's personnel that could bring gender incompetent staff.

It should be clearly understood that under the state structure the Presidential Administration is not within the system of the executive power. This means that the national mechanism has no special authority in the executive branch. The Sector on the family, children and women is in the Division of the social and cultural development of the Staff of the Prime Minister, but in reality, only one staff member deals with women and gender development issues.

Consequently, a sustainable process of monitoring the situation of women in the KR is not sufficiently secured institutionally.

In the third periodic report of the Kyrgyz Republic on the implementation of the Convention, there is no direct answer to the question of financing from public resources. Some work in this area in the country is being carried out. Thus, a gender analysis of the central and local budgets was conducted

under the UNIFEM project "Women's rights to land in Kyrgyzstan". The Budget Resolution for 2007 defining main directions and priorities of the state budget¹ states, that "in 2007, the government must ensure measures to reform the social sector through... implementation of gender policies in the budget process..."

But in fact, public authorities are not ready in principle for a real improvement of the budgetary process as a whole, not to mention accounting for gender-specific needs. The funds allocated annually to implement the NAP for gender equality for 2002-2006 were minuscule, leaving public bodies without necessary resources and authority to implement actions to achieve gender equality.

ARTICLE 8

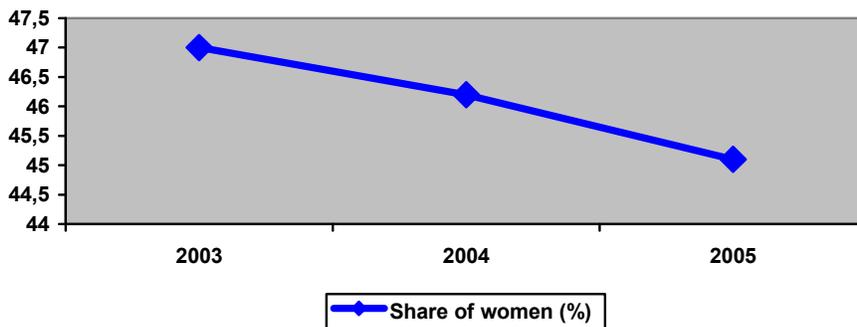
International representation and participation

Article 8 requires that women are given equal opportunities to represent the Government at the international level as well as participate in the work of international organizations.

217-221.

The KR law gives women the right to hold all forms of international public office (including diplomatic and other posts, as well as judicial positions in international tribunals) and to equal participation in international organizations.

As noted above, the number of women working in international sphere tends to decline. While in 2005 women comprised 47% of all servants, in 2005 their share was 45.1%.



Monitoring of the sex composition of the official delegations of Kyrgyzstan at different level negotiations is not conducted in the KR.

ARTICLE 10

Education

Article 10 of the Convention requires a state to take all appropriate measures to liquidate discrimination against women in education sphere and defines a number of concrete measures.

228. Statistics of the representation of women in education, especially in the preschool and school structures, is seen in the world as a sign of the occupational segregation and the existence of hidden and overt discrimination. Just compare the following statistics: in state schools where wages are only a half of the nominal average wage in the republic, the share of employed men is 22.7%. At the same time, in higher vocational education, where teachers' wages are 2-fold of a schoolteacher's, the proportion of men is already 44.2%.

¹ Order of the JK KR № 1206-III from June 30, 2006.

Table. 6 The number of teachers in educational institutions (beginning of the school year)

	2005-2006 academic year	
	Women (share of total number of teachers, %)	Men (share of total number of teachers, %)
State general schools (day-time)	77,3	22,7
Medium vocational institutions	66,7	33,3
Higher vocational institutions	55,8	44,2

(source – collection «Men and women», 2006)

Of the total number of directors of professional schools, women make up only 18%. The social costs of occupational segregation and the concentration of women in low-pay budget areas spheres are not clear and there is no reliable calculated research data. At the same time, there is a lot of evidence that the same sex composition of teachers distorts children’s understanding of the social environment and it also limits students from learning various gender behavior models. In addition, under the influence of gender stereotypes teachers have different attitudes to boys and girls’ performance at school. As a result of different socializational influences at school and in family, boys receive encouragement for a good performance in precise and natural disciplines, while girls receive support for success in humanities.¹

The Third periodic report has not answered the important question: "Does the state revise and change textbooks, curricula and teaching methods in order to eliminate stereotypes about the roles of men and women?". Namely such activities could create gender-directed attitudes at the younger generation. However, curricula, textbooks, manuals, and other educational materials do not undergo gender expertise. Only in 2006, "Regulations and Practical Guide to assess the content and structure of a new generation textbook" was issued. It reflects 5 criteria for evaluating a new generation textbook, one of which is gender sensitivity and contains the Ministry of Education’s stated intention of creating an expert committee.

One of the great challenges of education is the promotion of gender thinking of children and adults, as the possibilities of families in upbringing gender-sensitive individuals are limited. According to a survey conducted in the framework of a UNESCO project "Implementation of gender approaches in family education with the use of information and communication technologies", answering the question "Do you have enough knowledge and experience to conduct gender-balanced education?" 36.1% of respondents answered "no", 22.8% had difficulties in finding a response. In fact, the results of the survey show that majority of the population, a total of 58.9% of all respondents are not aware of the gender dimensions of education (source - "Implementation of gender approaches in family education with the use of information and communication technologies," Innovation Center "Archi", Bishkek, 2003).

School education is not contributing to a gender-balanced vision. Gender education in schools is carried out after working hours, partially integrated into the activities of moral and patriotic, civic, labor, and poly-cultural education in the form of separate gender issues. There is no subject aimed at raising gender sensitivity of boys and girls in the curricula of general schools. Teachers themselves

¹ Results of monitoring of the implementation of the Presidential Decree “On NAP on achieving gender equality in the Kyrgyz Republic for 2002-2006” form March 2, 2002 #52 in 2002-2003 and first quarter of 2004 Bishkek, 2004.

do not possess skills of introducing gender approaches in upbringing and education, because they receive the relevant necessary knowledge in the duration of several hours within the re-training and advanced training courses. And these courses do not cover all of the teachers. Textbooks for students, teaching aids and other instructional materials for teachers are not available. Gender disciplines are not included in the mandatory component of the curricula of higher education institutions' programs preparing teachers ("General humanitarian and socio-economic disciplines" and "General-professional (pedagogical) disciplines"). Temporary state standards of the higher professional education do not define requirements for gender knowledge of future teachers.

234-238. Activities described in the Third periodic report and aimed at introducing gender components in education, are implemented with the support of international organizations can be not systematic and sustainable and can not cover a significant portion of the population.

ARTICLE 11

Employment

239-245. Existing legislation and state programs, such as the Labor Code, "The concept of wage reform in the KR for 2003-2010", "The concept of the state employment policy" are gender-blind, they offer only general measures. While some of them have been subjected to gender-examination, the results of such analysis were not taken into account when formulating the documents and making the decisions.

242. There is no legislative provision and control over implementation of the acts providing for economic incentives and benefits aimed at increasing an employer's interest to employ individuals with family responsibilities, including at the conditions of part-time or flexible work hours or at home.

246. The growth of unemployment among women is related to closure of many jobs in the social sphere traditionally held by women, as well as to the lack of incentives for employers to provide benefits for childcare and ensuring access to childcare institutions. According to statistics, today only about 10% of children can attend day-care in Kyrgyzstan. The problem is not only in the lack of childcare facilities, but also in access to quality and methodologically modern services. These problems make it difficult for women to seek jobs, they perpetuate women's dependency and result in further impoverishment of families.

There are continuing trends that contribute to increasing inequality between men and women on the labor market. Women are crowded out to lower-pay and non-prestigious positions at the lowest levels jobs, as well as to the informal employment sphere, where legal and social protection mechanisms are virtually non-existent. Consequently, there are low wages, lack of job security and social insurance, poor working conditions etc. in the informal sector

At the same time, the proportion of men has increased in the area of finance and credit, insurance, trade and services, since these are high-wage areas.

Although women's participation in paid work is increasing and expanding, a gender inequality persists in regard to the status of employment and quality of jobs for men and women. Even in professions dominated by women, men usually hold more qualified, responsible and better-paid positions. For example, in healthcare, hospital managers are men, while most of the middle and low-level support staff are women.

A choice of a worker on the labor market is often a subject to gender stereotypes and preferences of an employer. Analysis of the composition of employees of small businesses figured out that in the vast majority of jobs are occupied by men (67.4%) as opposed to women (32.6%). The choices are stereotypically justified by higher endurance and productivity and a lower tendency to having conflicts in men.

256. "Women who work in any industry, underestimate their high educational potential, they see no opportunities for professional growth" – this statement contained in the official report to describe the causes of the current situation does not explain the real reasons for this situation. Most of them are in the field of hidden discrimination against women, stereotypical bias towards intellectual, leadership and other abilities and capabilities of women.

264. The lack of recorded cases of discrimination against women in hiring and pay for work of equal value only illustrates the lack of work on identification and fixing such violations. There is a widespread practice, especially in the private structures, of discrimination on the basis of women's reproductive function. Pregnant women are first targets during job cuts. The system of paid maternity leave is frequently violated; women are simply dismissed "at their own request".

265-267. Differences in pay remain as one of the most stable forms of gender inequality. Under equal conditions (age, education etc.) women take less prestigious lower-pay posts; for the work in the same industries they receive lower wages than men. In 1996, average salary for women was 73% of that of men. In 2003 this figure dropped to 64.1%.

A rapidly growing gap in average wages between men and women is one of the most serious gender problems in the Kyrgyz Republic.

... There is a growing gap between women's and men's wages because of the persistent horizontal and vertical segregation.

Gender review of data, KR. UNIFEM project "Gender and the Millennium Development Goals", 2005, p. 20

This trend will worsen further, as occupational sex segregation is increasing and sustained and strengthens through education system.

Often, low salaries of women are not seen as a serious problem because it is assumed that most women have access to other sources through spouses and other family members. However, this does not take into account an increasing number of single mothers, divorced women and women living in an unregistered marriage. According to the statistics, 32.8% of children in Kyrgyzstan today are born out of an officially registered

wedlock.

269-271. The Government report contains no data on the measurement of the quantity and quality of unaccounted domestic labor. However, the problem is extremely important, as the disproportionate participation of women in unpaid labor sector (in the family and in rural areas) makes them vulnerable.

The Committee recommends greater... effective measures to regulate family and job responsibilities and take further steps to support equal distribution of household and family responsibilities between men and women.

Recommendations of the UN Committee on the Elimination of All Forms of Discrimination against Women to the second periodic report of the KR, 2004

Also, the report has no information on the legal and social status of women in family businesses. Traditionally, men, more than women, are employed at a place of the principal employment (in the public sector, wage work, farming). Their allocation of time to the household matters is twice less as compared to women's.

Women not only work on the main place of employment, but also bear the main burden of work on the garden plot, housework, as well as for the execution of reproductive functions for upbringing children and caring for children and elderly and sick relatives in multigenerational families. According to a study conducted by WESA, more than half of female respondents spend for household matters from 6 to 9 hours daily, 16.2% of respondents are working in the household more than 9 hours a day, and 25.6% - more than 8 hours. In poor families, the work for household and farming matters takes more time because of the lack of labor-saving technologies.¹

¹ Sociological research report "Access of rural women of Chuy province to economic funds and resources", WESA, for ADB, p. 21.

Thus, women, especially poor women, are not fully able to take advantages of the economic reform, which in the long run should be beneficial to both women and men. Women not only have fewer opportunities on the labor market, but also less spare time to invest in their human capital.

ARTICLE 12.

Access to healthcare

Article 12.1. requires that States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care. Thus, the Convention defines the obligations of a state in ensuring access to health care services on a basis of equality of men and women, including in family planning. The Article 12 also states that “States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.”

However, healthcare policies on issues, other than reproductive and maternal health, are gender-blind and possibly gender-unequal. In general, gender equality issues are not considered as for the development of equitable health policies. The Manas Taalimi National Programme of healthcare reformation for 2006–2010 and other healthcare strategies, such as on cardiovascular conditions, tuberculosis, HIV/AIDs, do not explicitly consider/target women as a vulnerable group.

278. In 1999 [1] and 2004 [2], the CEDAW Committee has expressed concerns at the situation of women's health, in particular the increase and continuing high rates of maternal mortality. The Government report refers to the Manas Taalimi Programme and sector wide approach to its implementation as to the strategy making “it possible to implement measures for the achievement of the MDGs and the improvement of public health, including the health of mothers and children, and to expand the accessibility of health care services and reduce the financial burden for the most vulnerable segments of the population.” However, there exist serious gaps between political declarations and actions in the sphere of women's health, particularly in maternal health care. The government statements on achieving MDGs in maternal and child mortality are not plausible, while the healthcare policy lacks attention to the issues of maternal health and maternal health remains poor.

According to MDG-5, the maternal mortality rate should decrease by $\frac{3}{4}$, or from 45.5 per 100 thousand of live births in 2000 to 11.4 per 100 thousand of life births in 2015.

Instead, the maternal mortality has been increasing from 2001 to 2005 from 49.9 to 61.0 per 100 thousand of live births, and in 2006 it was 55.5 per 100 thousand of live births. Maternal mortality remains dramatically high (61.5) in rural areas and reaches 97.8 in Ysykkol oblast and 94.8 in Talas oblast.[3] The increase in the maternal mortality rate is taking place despite the introduction of the new WHO recommended life birth criteria in 2004.[4]

All this points at serious gaps between political declarations and actions in healthcare sector.

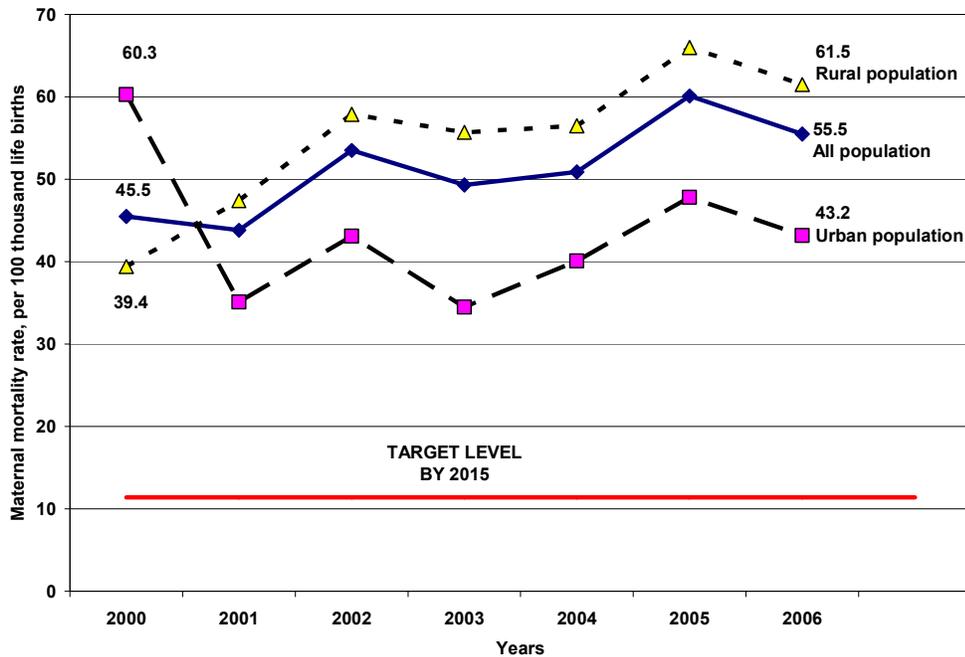
Graph: MDG-5 target and Maternal mortality rate, Kyrgyz Republic, 2000-2006: number of women deaths from complications during pregnancy, natal, and post-natal period, per 100 thousand of life births. Source: National Statistics Committee

¹ CEDAW A/54/38/REV.1 (1999), 136

² CEDAW, A/59/38 part I (2004), 157

³ Needs in urgent obstetric care assessment study, Ministry of Health, support from UNFPA. (2006, in progress).

⁴ Due to calculation technique, such introduction of new life birth criteria should result in an automatic decrease in maternal mortality rates.



The Maternal and Child Health, one of the four priority programs in the Manas Taalimy program, is not currently supported by a financially sound mechanism and, therefore, remains idle.

Equitability of health policy towards men and women is not considered - Equity is defined by the Manas Taalimi program as equitable distribution of services only between rural and urban population, and between poor and rich. Gender analysis is neither required nor carried out, however occasionally, during formulation and approval of health strategies.

Besides, despite recommendation [1] of the Committee “to refrain from obstructing action taken by women in pursuit of their health goals”, the new KR Law on protection of reproductive rights of citizens of the KR and guarantees of their realization² adopted in 2007, together with progressive provisions, contains potentially risky and discriminating clause requiring that “any medical intervention during pregnancy is carried out under a condition of consent from both spouses or an unmarried woman”. Thus, authorization of husbands is required for medical procedures.

Also, the KR Ombudsman proposed criminalization of abortions under social indications. These indications include a limited number of circumstances seriously affecting conditions of life [3]. “Raising the issue of the possibility of repressive sanctions against women in exercising their basic guaranteed freedoms and rights severely violates constitutional rights of a person and discriminates against women.

Such discriminatory attempts of a key state institution -- whose mission is the control over a fulfillment of constitutional rights and freedoms and who should be guided by Constitution and laws of the KR and ratified international treaties and agreements ratified by the KR, as well as by commonly accepted principles and norms of international law [4] – seriously alarmed the civil society. Only due to the activities of NGOs, actions held, open referrals to the country leadership and the public, and support from the healthcare sector, this attempt did not succeed.

¹ General Recommendation No. 24 “Women and Health” (Article 12) Para.14 and 21.

² From August 10 2007, N 147. Article 14 “Right to maternity”

³ Such as disability of a woman or a spouse of the highest degrees, death or imprisonment of the spouse, status of a refugee or a forcefully displaced person, divorce during pregnancy, pregnancy from rape, lack of housing, a disabled child in the family, poverty and lack of income.

⁴ Law on Ombudsman of the Kyrgyz Republic, in edition from July 6, 2007 #97. Article 1.

Introduction of the proposed amendment, in fact, means a reversal of democratic processes and a withdrawal from gender mainstreaming course.” [1]

280-281. Each year there is a decrease in the number of staff. During 2003-2006, annual decrease in the number of doctors (by specialties) is at 4%, of obstetricians-gynecologists – by 11%. Annually, the number of middle medical personnel (nurses) and midwives decreases by average 10% and 24%, correspondingly. The problem of decrease in staff number is relevant to low wages in the healthcare system. In 2005 the average monthly salary in the sector increases by 30% and is at 1382 soms, while the minimal monthly consumption budget per person of a working age is 2128 soms. Although the statistics does not recognize people employed in the budget sphere as poor, those working in the healthcare (majority of which are women) can be called poor.

282. From January 2007, the State guarantees program provides free medical services for women registered as pregnant, as well as women during labors and in the postpartum period for eight weeks (Government report, 282). However, the program covers neither women from other groups (e.g., who are not pregnant and did not give birth recently) nor expenses other than for outpatient and inpatient care (e.g., public information campaign, programs through education sector etc.).

Despite recommendation of the 30th session of the Committee to “fully implement a holistic, life cycle approach to women’s health and in accordance with General recommendation 24” [2] which urges States parties to take “appropriate measures to ensure the access of older women to health services that address the handicaps and disabilities associated with ageing”, Kyrgyzstan lacks health policy addressing ageing population’s problems.

284. The state report does not mention the tendency of increase in child deliveries at home due to existing problems with accessibility of medical care, receipt of qualified medical assistance, poor quality of medical services, especially for rural women. The number of such cases has increased more than two folds during the last four years. According to the Ministry of Health, 1123 cases of at-home deliveries were registered in 2003, 1977 deliveries in 2004, and 2311 cases in 2005. These figures contribute to 1.1%, 1,8% and 2,1%. of all deliveries in 2003, 2004, and 2005 correspondingly.

289-295. A number of developed and laid on paper strategies and policies relevant to maternal health were and are lacking real and consistent financial support from the state.

Clearly, high rates of maternal mortality are linked to a poor response by the state to the issues of maternal care and to a lack of awareness by the population about critical conditions during pregnancy.

Most of the women died between age 20 and 34. 59.7% of the women who died were in a satisfactory condition during their admittance to maternal departments/maternity houses and developed complications while being already under in-patient care. In 37% of cases of maternal mortality women were not under medical observation regarding their pregnancy.

Amongst the reasons for high mortality rates are:

- Poor health of pregnant women (high rates of anemia and pathologies of urogenital system leading to bleeding and eclampsia).[3]
- Low quality of medical services despite a high coverage by care (98% of deliveries take place in the presence of qualified staff);
- Disproportionate distribution of medical specialist between regions;
- Unsatisfactory healthcare system structure and infrastructural problems: 485 small settlements lack medical facilities, 70 villages do not have pharmacies; 75% of family group practices and

¹ >From the Open Letter to the leadership and public of the Kyrgyz Republic signed by NGOs

² CEDAW, A/59/38 part I (2004), 158

³ National strategy on reproductive health care until 2015

feldsher-obstetric points do not answer requirements due to a lack of medical equipment and instruments, and labs;

- Existing difficulties with material and communication basis (transportation, fuel, telephones, electric power and water). [1]

Insufficient quality and low reliability of statistical data represent a serious impediment to investigating causes of maternal deaths and assessing the real scope of the problem. Lack of whatsoever clear statistical trends in the maternal mortality rate (from year to year) and comparisons between regions indicate that there exist problems with reporting the maternal mortality cases [2] and, therefore, with consistency of the data. Interviewed health officials and doctors point at the continuing system of punishments being applied by health authorities to health workers for each case of maternal mortality. Such system inherited from the Soviet past does not stimulate health workers to disclose the real causes of maternal deaths and can even lead to hiding some of the cases of maternal deaths.

303. According to expert evaluations, analysis of the changes in the number and reasons of abortions is difficult due to high number of unregistered abortions. The problem is complicated by pushing this service out from the state sector to a private sector due to introduction of obligatory examination and co-payment, the desire of women to keep pregnancy undisclosed; as well as a lack of obligatory reporting of the private clinics on performed abortions and their opportunities to use an imperfect reporting system for hiding income (unregistered cases).

309-313. During the last years, there is a tendency of growth in the numbers of women, as compared to men, among people living with HIV/AIDS. Thus, in 2002 the ration between men and women was 11:1, in 2006 it changed to 4:1. During the same period, the number of women living with HIV/AIDS increased 14 times, the number of men living with HIV/AIDS increased 5 times. The main means of transfer of HIV-infection among men is through “dirty” syringes during intravenous drug use (80%), this number for women is 33,3% of cases. In 66,7% of registered cases, the main way of HIV-transmission among women is through sex, for men this indicator is at 9%³. In 88% of HIV transmission through sexual intercourse women have one and constant sexual partner/husband. Only 12% of HIV-infected women had multiple sexual relations. 68% of HIV-infected women are under 29. A research of the Women Support Center supported by UNIFEM «Gender aspects of HIV/AIDS in Kyrgyzstan», aimed at studying gender and sexual-behavioral factors⁴ has shown that one of the main factor of women’s vulnerability to HIV/AIDS is stereotypes in sexual sphere. The sexual culture of Kyrgyz people developed under the influence of multiple factors and assigns different models of sexual behavior to men and women. With regards to women, there exist numerous cultural tabu and norms, suggesting subordinate status of women in sexual relations and denying her rights to insist on safe methods of sex.

318. Under a UNIFEM Project results of the gender expertise of the Law «On HIV/AIDS in the KR» and draft of the Third State Program on HIV/AIDS and overcoming of social-economic consequences of epidemics in the KR for 2006–2010 , additions were introduced relevant to gender aspects of HIV/AIDS. Nevertheless, the matrix of actions to implement the State program neither includes the suggested measures, nor it provides for gender-oriented activities, nor it accounts for social factors of women’s vulnerability to HIV/AIDS.

Issues not covered by the Third Periodic Report

Gender incompetence of healthcare specialists - Government introduced clear positive changes through organization of Maternal and Child Health unit under the Organization of Medical Care

¹ Monitoring of the National Gender Plan, 2006

² Monitoring of the National Gender Plan, 2006

³ Republican center «AIDS» 17 July 2005 .

⁴ also included issues of discrimination against women increasing their vulnerability to HIV/AIDS

department in the Ministry of Health in October 2007. According to an expert evaluation, gender competence of healthcare managers remains at level “zero”, and to the moment, no gender training is provided to the healthcare workers as a part of government action. [1] At the same time, in compliance to General Recommendation No. 24 “Women and Health” to Article 12 (#31(f)) States parties should, in particular “ensure that the training curricula of health workers include comprehensive, mandatory, gender-sensitive courses on women's health and human rights, in particular gender-based violence.”

Lack of attention to the negative impact of healthcare reform on women - The CEDAW Committee has expressed its concern about the lack of attention to the negative impact on women of the reform of the health-care system and urged “to assess the impact on women of the reform of the health-care system and to take remedial action so as to ensure that the reform does not disproportionately disadvantage women”. [2]

General Recommendation No. 24 “Women and Health” (Article 12. #30) recommends that “States parties should allocate adequate budgetary, human and administrative resources to ensure that women's health receives a share of the overall health budget comparable with that for men's health, taking into account their different health needs”.

Nevertheless, evidence relevant to the effects on women's health is scarce and, more generally, gender as a determinant of health is not considered by policy analysts. “Gender analysis and gender expertise of the main ministerial documents [auth. - which could give clearer information on the effect of reforms] are not formally supported by the regulations of the Ministry of Healthcare. Gender experts' involvement in developing policies, programs, and strategies takes place, but the decisions about their involvement are rather accidental than regular.”[3]

Some evidence in existing studies point at disparities between women and men in healthcare spending, but requires further investigating. For example, general expenses per patient under hospital care differ significantly (see table below). For example, in a working age group, such expenses per woman constitute 62% of these per man. For pensioner age group this figure is 55%, for children under 16 it is 206%. However, the current research does not answer the questions “Why these differences occur?” and “Can they be attributed to the conditions specific to men or women, functioning of the healthcare system, and/or to other reasons, including gender stereotypes, norms, values etc.?”

Table: General expenses per patient under hospital care [4]

Age-sex category	Men, boys	Women, girls (% of men's)
Child under 16	1,127 som	2,321 som (206%)
Working age	2,400 som	1,485 som (62%)
Pensioner age	2,758 som	1,514 som (55%)

Oncological conditions – from 2001 to 2005, breast and cervical cancer morbidity levels have increased by 27% and 23%. In 2005 these indicators were correspondingly 19,8 and 13,6 per 100 thousand of women population. Analysis of the regional morbidity data suggests that the data is not

¹ Country Gender Assessment, Chapter on Healthcare, 2007-2008. To compare, level “one” corresponds to ability of health managers to distinguish between sex and gender and identify main gender problems.

² CEDAW, A/59/38 part I (2004), 157

³ Country Gender Assessment, chapter “Healthcare”, 2008

⁴ #46 Health, health seeking behavior and out of pocket expenditures in Kyrgyzstan, 2007. Jane Folkinham, Baktygul Akkaziya, Angela Baccieri, November, 2007. <http://eng.chsd.med.kg/Articles/ViewSection.aspx?ArticleID=172>

reliable¹. The Ministry of Health KR states that the statistical information does not reflect the real situation, since cases are registered only through referrals of patients to specialists.

Morbidity levels: mammal and cervical cancer, KR, 2005 (per 100thousand of female population) ²

Region	Mammal cancer		Cervical cancer	
	2005	% to 2001	2005	% to 2001
Kyrgyz Republic	19,8	127%	13,6	123%
Batken province	5,8	116%	7,2	180%
Jalalabad province	8,4	138%	12,3	131%
Ysykkol province	15,2	92%	17,5	120%
Naryn province	9,9	115%	18,3	146%
Osh province	6,7	93%	10,2	148%
Talas province	10,3	90%	10,3	90%
Chuy province	33,8	106%	17,3	98%
Bishkek city	51,8	161%	18,3	127%
Osh city	18,4	107%*	6,9	59%*
* - % to 2003 level				

Seriousness of an early diagnostics problem is also supported by high indicators of neglect (progression to 3rd and 4th stages) of revealed cases of mammal cancer (48%) and one-year lethality (19,8%)³, as well as the data from cytological screening of cervix in pilot areas, where indicators of wide-spread of the pathology (61,1/100 thousand of female population) significantly exceed the official data⁴.

ARTICLE 14.

Rural women

362-363 Poverty rate (46.2%, of which 9.9% - very poor) in rural areas is higher than in urban areas (26.6%). Vulnerable rural women (divorced, poor, single, young families) are in the most difficult situation. Rising unemployment in the conditions of economic reforms and changes in the labour market has particularly affected rural young women from 18 to 35 years old who were forced to leave villages in search of work.

There are limited employment opportunities for girls and young women lacking work experience and necessary skills. Lack of pre-school education facilities in rural areas significantly limits economic opportunities for young women and mothers with many children.

Women's average wage in agriculture is 657 som, one of the lowest in the country, while the average wage for women is 965 som. Share of women in small businesses in rural areas is 18.9% versus 81.1% of men. ⁵

Rural women working in institutions are mainly employed by public sector with low wages, by education and health institutions. In the face of acute unemployment in rural areas, women value even such a low-paying work.

364. According to a survey of the National Statistics Committee in 2006, about 33% of male-headed households and more than 27% of female-headed households were classified as poor. In female-headed households the level of poverty is lower than in male-headed households. This fact is also

¹ Annual changes in regions are from -46 % to +135% for mammal cancer and from -56% to +194% for cervical cancer.

² RMIC

³ Oncology Institute

⁴ Assessment of cytological screening of cervix in pilot regions of the KR», Kyrgyz Center of reproduction, 2002

⁵ Gender relations in the KR. NSC KR, 2005: «Social sector: annual data» and «ON poverty level in the KR in 2004»

supported by figures of depth and severity of poverty. For example, for male-headed households the depth of poverty was 7.3%, and for female-headed households the figure was 5.6%.

368-371. Women have less access to funds and agricultural funds and resources. Because of the traditional stereotypes, even as the heads of households, they are less likely to own land and real estate, livestock and agricultural machinery. In 80 cases of 100 decisions made on local levels, rules of customary law are applied to inheritance and gifts cases, thus, infringing the rights of wives, sisters, daughters and mothers and further increasing the gap in access to economic resources.

Male-headed household tend to use loans more than female-headed households - 23% and 17%. WESA's experience shows that expenditures per household member are lower in female-headed households than in male-headed ones. This is primarily because in poverty circumstances women reduce own consumption and increase the reproductive work for the reproduction of family members. In general, one can talk about a larger list of hardships for women and girls in poor families, including basic social benefits (access to health services, education etc.). This is evidenced by the mini-study of gender dimensions of poverty in the KR, held under the auspices of UNDP.¹

A limited women's access to economic resources and funds seriously impedes the strengthening and development of material well-being of rural women and their families.

Because of the decades of perpetuated occupational segregation and traditional cultural practices training and mobility in business management as a whole is lower for women than for men. Women find it difficult to manage loans within households, as the social environment does not respond to women as to independent economic agents and often hampers their efforts. Women are in worse off conditions than men in gaining access to agricultural services. The situation is complicated by lacking/poor quality agricultural services and expensive, bureaucratic application procedures. As a result, women get low yields, which hardly cover the costs and do not contribute to their exit from poverty.

Rural women - heads of households and farms need marketing information, consulting and training services. Poor system of agricultural services in rural areas creates additional barriers to successful agricultural activities.

The negative perception of independently and economically active women is a phenomenon not only of individual communities, but also of official institutes. In particular, women - heads of households are often viewed as risk groups by credit organizations. All of this is an obstacle to women's access to financial markets

So far, the country has no social support programs for the most vulnerable women - divorced, widowed, single, and rural women with many children. Low general culture and educational levels hinder access of rural women to economic resources. Today there is a need for training for men and women aimed at psychological support to vulnerable groups of rural women, development of a survival strategy, support of family, change of gender stereotypes in the division of housework and child-rearing.

...The Committee calls the Government to intensify its work so that all employment development take into account gender considerations and women could use all benefits of programs on entrepreneurial development.

Recommendations of the CEDAW Committee to the Second Periodic report of the KR, 2004.

ARTICLE 16.

Equality in Marriage and Family Law

¹ Ibraeva G. Gender Aspects of poverty in the KR. Bishkek, UNDP, 2004

391. Most of the laws of the KR are gender-sensitive. In conformity with the KR Constitution not only do they establish equality of rights, but also they recognize the need for equal opportunities. However, enforcement practices differ significantly from the letter of the law.

The Family Code passed in 2003 that gives men and women equal rights in marriage and equal responsibility in marriage is no exception. However, as has been described in detail in articles 5 and 6, in reality, the girls and women are often limited in the right to choose a spouse, ruthlessly exploited in households after marriage and are subjected to various forms of violence.

393. Despite the provision of Art. 32 of the Family Code on equal responsibilities of spouses with regard to domestic work the mechanisms to regulate the allocation of responsibilities does not exist. Legal equality in fact does not apply to family sphere.

Not only the family, but also the state do not, in fact, support a gender equality policy. For example, the public service does not take into account gender differences. Such "neutrality" in matters of sex servants turns into costs and losses for the majority of working women.

Studies on gender aspects of staff policy of the Ministry of Economy and Finance KR showed disloyalty of public service employees of the Ministry to the family roles. Effect of such gender regime is especially dramatic for women, because working conditions result in the impossibility of a successful combination of professional obligations with maternal role. Women in the public service are forced to choose between the dominant gender ideal of a married woman, mother, devoting her life to serving family and a public servant role whose working hours are de facto unlimited and require maximum costs, including time resources.

Prevailing cultural practices and models deepen the conflict between the roles of a working woman creating a dilemma of "a good mother" and "a good wife". For men, the gender regime of the public service and cultural gender stereotypes create problems in executing family responsibilities in another way. The paternity institute of the KR is not supported by public gender policy; the majority of men are formally involved in the conduct of the household and child-rearing.

Since 2005, the National Council and its working body – Secretariat have increased attention to family issues. In 2007, under the auspices of the Secretariat, Family forums were held across the country and a package of family support measures were developed. However, the approaches presented in this plan and in discussions on the state objectives on family strengthening with the participation of public officers are patriarchal and attempt to "medikalize" issues of family relations. Despite the importance of the issues of women's reproductive health, a distinctive orientation of government policies to practical gender needs in the context of described above regressive trends in the public realm "works" to the favor of consolidation of patriarchate stereotypes about women.

ATTACHMENT 1:

INFORMATION ON THE NGOS - AUTHORS OF THE REPORT

Women Support Center

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Republican NGO “Women Support Center” (WSC) was created by initiative of women- university teachers and activists of women organizations. WSC assists women to adjust to new economic conditions and encourages their participation in building healthy economy and democratic society.

Mission:

To democratic and humanistic society through realization of capacity and recognitions of the role of each person.

Association of Crisis Centers

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Contact person: Aleksandra Eliferenko, President

Association of Crisis centers (ACC) is a network of 12 NGOs working in all provinces and the capital of the KR. ACC was created in 2001 by initiative of women NGOs.

ACC’s mission is – decreasing gender violence in the society, promotion of rights and freedoms of women, encouraging liquidation of all forms of discrimination against women, creating conditions for sustainable development and effective work of crisis centers.

Women-entrepreneurs support Association of Kyrgyzstan (WESA)

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Registered in 1997 the republican non-commercial organization «*Women-entrepreneurs support Association of Kyrgyzstan*» (WESA) facilitates the development of women’s capacity in small and medium business, provides stable and sustainable support to private entrepreneurial initiatives of women through offering knowledge and skills training on market economy, protection of their rights and interests. WESA has regional representations in Jalal-Abad, Naryn, Osh, Ysykkol, Batken and Talas provinces.

Gender Research Center

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Founded in 1997 «Gender Research Center» is a mobile scientific group of 18 permanent employees and 70 volunteers, aiming to conduct gender research and monitoring of gender problems.

Mission:

Promotion of equal rights and opportunities in social sphere disregardless of sex, nationality, age, activities, confession and other.

NGO «Social Technologies Agency» (STA)

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Since 1996 a group of experts started working together on gender education, later in 2001 registering the organization. Under initiative and with the support from STA и OSCE/ODIHR an informal network “Women can do it!” is created. In partnership with the network the STA becomes one of the leading organizations country-wide. It has regional representations – resource centers of the women’s network in each province.

Mission:

Facilitate the promotion of the gender equality policy in KR through creation of a network of women-leaders, lobbying special measures to support women’s political leadership, gender education, research, expertise and organization of awareness raising campaigns.