

## **The role of Kyrgyz government in the promotion of women's rights**

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When a traveler enjoying, the nature is passing Tian-Shan Mountain range he/she is always amazed by the hospitality and tolerance of people of Kyrgyzstan. Mostly the traveler is amazed with the women of these mountains, who in very severe conditions are able to stay the best wives, mothers, sisters and finally, women. God created women and men for mutual understanding and support during their lives. Unfortunately, the ideal is not always coinciding with reality. It is generally known that social roles of women and men are interactive. When people change this conception, then they change the whole idea of harmony. The integrity of gender issue is making it a great tool in building social justice in any country. Since women are making the half of the population of the world, all issues have feminine part. Equal and full rights participation of women in the solving of political and social-economical problems and objectives of the society is an essential condition of economical development, democratic government and society, its openness, security and the most important, stability and peace strengthening.<sup>1</sup> From generation to generation, it has been formed that mostly men control political and economical sphere in the whole world. Women take only 10% in parliaments of the whole world, and only 6% in national governmental structures.

Kyrgyzstan is one of the first ten countries that successfully implement their obligations according to Pekinese Platform that is one of the most important international documents that support the further development of gender equality.<sup>2</sup> However, even though Kyrgyzstan has a great legal base for building gender equality, in reality there are still many forms of discrimination. Statistically, three forth of all working places are taken by women. In spite of this, in average women are doing the same kind of work as men but they earn only 65% of what men earn every month. Moreover, most of women have a little paid job. Women are not enough presented in

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<sup>1</sup> Convention on elimination of all forms of discrimination toward women, Bishkek 2005

<sup>2</sup> UNFPA, UN, Almaty 2006

public and political life. In new Kyrgyz parliament there are no women, and only a few women take official high rank positions. The index of the fact that women are more and more discriminated is the statistical growth of violence toward women. Surprisingly, the society of Kyrgyzstan is tolerant to this violence. Annually in Kyrgyzstan up to three thousand women with gender problems ask Crisis Centers for help. Approximately, 50% of these women are exposed to domestic violence. Moreover, the cases of “bride kidnapping” are wide practiced in Kyrgyzstan, even though there is a criminal responsibility for this kind of “Kyrgyz tradition”. We can conclude that despite Kyrgyzstan has ratified more than 30 international conventions and protocols that support human rights, including the Convention on elimination of all forms of discrimination toward women, the program of International Conference on population and development, and Pekinese Declaration gender issue is still very acute. There is a big gap between law and reality.

### **National program “Ayalzat”**

Despite status quo, Kyrgyzstan is trying to build democratic society and to accept the adherence to the idea of gender equality. Article 13 of Constitution of Kyrgyzstan fixes the principle of equal rights between women and men.<sup>3</sup> Women and men have equal rights to participate in all kind of elections and referendums; to accept, to change and to save the status of citizenship; to receive and use all kinds of civic, economic and political rights. According to article 13 paragraph 3 all kinds of discrimination on the base of sex, religion and ethnic are forbidden.

Kyrgyz government is taking some actions on promotion of women rights and to make progress in gender issue. Gender statistic is playing one of the key roles. National Statistical Committee every year receives statistic on population from different organizations and companies, ministries and departments. Using this information National Statistical Committee publishes data magazine. It analyzes the position of women and men in the society and their participation in social and

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<sup>3</sup> Constitutional of Kyrgyz Republic, 30 December, 2006

economical life of Kyrgyzstan. The goal of this magazine is to attract as many people as possible to help solving gender issue locally.

National presidential committee of Kyrgyz Republic for family, women and youth in cooperation with National Statistical Committee was collecting gender statistic for monitoring and analysis in the framework of Kyrgyz gender program “Ayalzat”. The main goals of this analytical, gender-balanced and gender-oriented program were:

- Actions to maintain women rights
- To form conditions for equal participation of women and men in decision making process on all levels
- Formation of equal rights and equal opportunities in labor market, industry and finances
- Protection of men and women health
- To increase the average life expectancy
- To create conditions for active participation of men in the process of bringing up their children, taking care of the household
- Prevention of violence toward women

For realization of these goals Kyrgyz government regularly collects statistic and firsthand information that forms new intersectional gender policy.

National Commission dealing with family, women and youth issues was formed by National government according to presidential decree after Pekinese IV International Conference. In 1996-2000 several parliamentarian sessions dedicated to women issues were conducted. Several international conventions that support elimination of all forms of discrimination toward women, women participation in political life of their country were ratified. Parliament dedicated several sessions discussing women marital age and the official procedures of marriage. One of the highlights of this period was the establishment of national program “Ayalzat” as a main mechanism for improving the position of women in the society.

Moreover during that period Interagency Council was created that consisted of representatives from all key departments, agencies, counties, and different non-governmental organizations that promotes and protects women rights. During that period complex plan for realization of “Ayalzat” national program was adopted. Afterwards in July 1998 president of Kyrgyzstan issued an edict that created National Council for gender policy as a part of Kyrgyz government. This council controlled the implementation of “Ayalzat” program.<sup>4</sup> In 2000 Kyrgyz government decided to prolong “Ayalzat” national program. This decision was taken after XXIII United Nations Assembly Session. This session was dedicated to observance of the work that was conducted in the framework of Pekinese Platform. United Nations revealed several gender problems that were very acute. It also established the priority of methods and ways that were aimed on overcoming poverty and women health problems; development of women entrepreneurship, preservation and advancement of women education, and increase of women representation in decision making on all levels. National program “Ayalzat” was a national plan of actions that was based on Pekinese Platform to promote women status in society and promotion of women rights.

The main goal of “Ayalzat” national program, as a promotion of women interests, was a qualitative breakthrough in the position of women in the society by 2000 year. National program created conditions for significant moves in the realization of equal rights between men and women, increase of opportunities for women and creations of favorable conditions for women development. Prioritized directions of national program had short term as well as long term goals and mechanism that were defined by complex plans in the framework of “Ayalzat” program. They embraced the following sphere:

- Increase of educated women
- Protection of women health
- Decrease in mother and child mortality
- Overcome of poverty

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<sup>4</sup> Gender Policy: problems and analysis, Italy 2000

- Participation of women in decision making processes in political, legislative and executive spheres
- Increase of women in Business
- Development of special program that would support young girls
- Creation of new character of women of Kyrgyzstan through media, culture and art
- Elimination of all form of violence toward women
- Development of gender researches and gender informative nets

Mechanisms and methods for implementation of “Ayalzat” program were enforced in specific projects, such as:

- In direction of perfection of legal base was implemented “Gender analysis of legislation in Kyrgyz Republic” project
- In direction of protection of women health was implemented “Medical-sociological expedition” project
- In direction of women education and women literacy was implemented “Women and education” project
- In direction of development of women position in the society was implemented “Regional Centers of Women Initiatives” project
- In the direction “Women, Economy and poverty elimination” was implemented “Women Credit House” project

Pekinese Platform initiated a huge wave of women participation in the world. Women in Kyrgyzstan also created their movement. 1999 is a period when more than 150 non-governmental organizations that protect women rights were formed. These NGOs are key players in the civic movement in Kyrgyzstan. Nowadays, these NGOs are trying to cooperate with different international organizations and movements.

During the last years they were succeeding at doing it. More than 80% of NGOs are led by women.<sup>5</sup>

Kyrgyzstan is dedicated to development and realization of National programs including progressive reforms. In 1998 there was a National Forum of people of Kyrgyzstan. During this forum a strategy for human development by 2015 supported by UN was developed. Moreover Kyrgyzstan is one of the countries that signed “Millennium Development Goals”. The goal number three is oriented on the development of equality between men and women. It supports more opportunities for women. Kyrgyzstan is aiming at elimination of inequality between sexes in the sphere of elementary and middle education by 2015. Kyrgyzstan developed a list of national programs that support these aims. Besides “Ayalzat” program, there is a list of other national programs that support the idea of development of women:

- “*Bilim*” – strategy that supports the development of education, including a list of reforms, integration of Kyrgyz higher education into international education, and intellectual communication. It increases the literacy of women with the help of special programs that are dedicated to medical literacy, nutrition, economy and legal knowledge.
- “*Kadri XXI veka*”- it is a strategy that develops higher education and brings the best into Kyrgyz education from foreign countries. This program is aimed at solving the problem of professional deficit. According to this program since 1995 more than 2000 students study and have internship in foreign countries. More than a half of the participants are young women.
- “*Madaniyat*”- this program is aimed at the cultural development of the society. It also include cultural development of girls and women, elimination of cultural prejudices that discriminate women. It develops historical traditions and norms that increases that status of women in the society.
- “*Manas*” – it coordinates the development of health environment. The priority of this program is to develop the best conditions for women and for their healthy reproduction.

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<sup>5</sup> Women in Politics, Umetalieva T.

- “*Araket*”- it is a strategy that is aimed at the elimination of poverty in the society. It supports women entrepreneurship. It provides some information for vacancies.
- “*Emgek*”- It is a strategy that is aimed at the development of active population of Kyrgyzstan. It prevents the increase of unemployment. It creates new working places for women by retraining them. This program created some changes in the economy of rural areas of Kyrgyzstan.

Evaluating the positive results of “Ayalsat” program , it is worth to stress that this program helped to reveal the list of barriers in organizational, coordination, legislative and instrumental sphere. It was the reason for creating National Presidential Council. Regional Centers of “Ayalsat” program were transformed into non-governmental organizations, and presently, former centers that used to give out small credits are used as crisis centers that assist and serve to local population.

As the continuation of this program president issued a decree in 2002 that confirmed the National Plan for achieving gender equality for 2002-2007. One of the main priorities for National Plan is introduction of gender issue on all levels.

### **National Presidential Council on gender policy in Kyrgyz Republic**

In the framework of Pekinese Platform in 1996 President issued a decree that formed National Commission on family and women issues. This commission was a part of Kyrgyz Government. Moreover president made an order # 96. After that that former existed National Council on Gender Policy was reorganized into National Presidential Council on women, family and gender issues. The aim of this National Council is to provide the coordination in the governmental policy on gender, family and female issues.

The main objectives of this agency are: coordination of actions in the realization of national gender policy; control over implementation of international treaties in the sphere of gender development; organization of ministry, agency and department monitoring on implementation of gender equality; introduction of gender

equality into national policy and governmental programs; assistance in the examination of normative acts of Kyrgyz Republic.

National Council is responsible for defining the priorities in the realization of different activities, for financial support in the framework of Nation Plan on achieving gender equality in Kyrgyz Republic; for assistance in the conduction of gender analysis of national budget and legislation; popularization and propaganda of gender equal ideals for officials and general public.

Rights and power of National Council are pretty wide. It can recommend the program and also make suggestions to president. It can also develop other projects and different programs that can attract supplemented support.

Besides representatives from different departments, agencies, universities to the structure of National Council also belong representatives from different non-governmental organizations. The chairman of National Council is a National Secretary on Kyrgyz State.

National Council has an active body – Secretariat on female, family and gender issue that became an assignee of eliminated National Commission on family, women and youth issues.

Secretariat for implementing the assigned responsibilities has some rights and powers: to request and receive information in the established order from governmental structures, departments, organizations and agencies. This information is essential for implementing the objectives of secretariat. Secretariat is responsible for conducting international, national, regional and municipal conferences, meetings, and seminars. It also can form temporary working and expert groups for realization of different programs and projects, to implement international negotiation according to its powers. Secretariat has a power to bring suggestions and recommendations to better the policy, strategy and different programs in the sphere on family and gender equality achievement.

Introduction of gender perspective in the work of ministries and departments is also a very perspective direction in the strengthening of national mechanisms that are aimed on achieving gender equality. Almost all ministries and departments of

Kyrgyzstan have small agencies which, besides the main functions, also implement and coordinate the work on achieving gender equality in Kyrgyz society.

The financing of activities that are organized according to National Plan on achieving gender equality in the society of Kyrgyzstan by 2007 comes from national budget or from international donors. In 2002 more than \$28000 was spent on the implementation of National Plan.

The Secretariat of National Council on female, family and gender issues with the cooperation with Presidential Administration of Kyrgyz Republic, United National Development program, UNFPA, UNIFEM conducted a list of round tables, seminars, trainings for heads of ministries, agencies, regional and municipal departments on integration of gender methods in the sphere of national and municipal governing. The goal of these round tables was also the promotion of Nation Plan on achieving gender equality.

### **Gender Policy in the Legislation of Kyrgyz Republic**

Presently, Kyrgyzstan is still making essential changes in the legislation of Kyrgyzstan. It is important that Kyrgyz legislation does not contradict with international treaties on gender policy that were ratified by Kyrgyzstan. After joining in 1996 to more than 30 international conventions in 2002 Kyrgyzstan joined to international convention on elimination of all forms of discrimination toward women. This convention gave an opportunity to women of Kyrgyzstan to appeal in UN Committee in case their rights were infringed.

Government of Kyrgyzstan made a great progress in the direction of restoration and promotion of women status through legislation. A series of bills and concepts were developed which supported governmental policy on promotion of civil and political rights. The following documents and laws were revised in accordance with this policy:

- Constitution of Kyrgyz Republic
- Labor Code of Kyrgyz Republic
- Family Code of Kyrgyz Republic
- Criminal Code of Kyrgyz Republic
- Law of Kyrgyz Republic “Governmental support to families and children”
- Law of Kyrgyz Republic “Health protection of people of Kyrgyzstan”

Parliament (Jogorku Kenesh) and government of Kyrgyz Republic pay attention to social issues. By drafting and enforcing bills they support their position on gender issues. The parliament of Kyrgyz Republic ratified five international conventions on elimination of discrimination toward women.

- Convention on elimination of all forms of discrimination toward women
- Convention on political rights of women
- Convention on marital age and marital registration
- Convention on citizenship of married women
- Convention on protection of motherhood

One of the main achievements of Kyrgyzstan is its joining to Convention on elimination of all forms of discrimination toward women. Convention is one of the most effective United Nations documents. It supports the equality between men and women. After ratification of this convention a list of amendments were made in Criminal Law. Article 134 states that the discrimination upon sex is a crime.

By implementing National Plan on gender equality, one of the most essential achievements was an adoption of two laws. The first law is “Governmental guarantee on gender equality” was adopted on the 30<sup>th</sup> of March 2003 # 60, and the second law is “Legal protection from domestic violence” was adopted on the 25<sup>th</sup> of March, 2005 #62.

“Governmental guarantee on gender equality” regulates relations on providing equal rights and opportunities for different sexes in social, political, economical,

cultural and other spheres. It protects men and women from sexual discrimination. Some parts of this convention are included into basic complex development of Kyrgyzstan by 2010, into development of Kyrgyz villages by 2010 and into policy of employment in Kyrgyz Republic.

Law on legal protection from domestic violence regulates the relations in the sphere of protection of people who were subdued to domestic violence. It also defines preventive measures toward such kind of violence. Since this law was adopted through people's initiative, different non-governmental organizations by collecting signatures used it as an opportunity to explain people about his issue. With the support of Secretariat of National Council on women, family and gender issues, "Diamond" Association, Institute of regional research in cooperation with other non-governmental organizations and media was conducted an explanatory company "There is a law against violence". There are many examples of productive cooperation of government with other non-governmental and international organizations in the framework of National Plan.

### **Women are active socially, but not politically**

Kyrgyzstan has a very unique example of women involvement into social life of the country through activeness of civil society. There is a number of active women who are members of different social funds, NGO's and other organizations. As we know NGOs and local societies build strong ties with governmental structures that is a very strong tool to influence on decision making process.

In Kyrgyzstan there are about 160 organizations and NGOs that actively promotes women rights. About 80% of leaders of these NGOs are women. These organizations can be classified by their missions:

- Women rights protection NGOs, Crisis Centers etc. (Crisis Physiological Center "Sezim", Legal Clinic "Adilet")
- NGOs that work with specific target groups (Association of support women in business)

- NGOs that develop women leadership (NGO Association, Agency of Social Technologies)
- Research and Analytical Center (“Diamond” Association, Center of women assistance)
- NGOs oriented on combat of women poverty ( Micro credit organization “Ak-Maral”, “Soopker”, “Ak-Shoola” etc.)

Today women NGOs are organizations that, on one hand work with public sector, and on the other hand they work with governmental and municipal sector. They actively mobilize the society to combat the poverty. Due to socially active women it became possible to include gender issue into politics and into the main program of Kyrgyzstan “Complex basics of development of Kyrgyzstan”.

Unfortunately, there are some cultural and religious traditions that restrict access for women to decision making process. During the last years Ak-Sakal courts became popular. They are supported by the government. Usually a judge in Ak-Sakal court is an old person who is publicly recognized as the wisest person. Despite there are almost in two times more elder women then man usually only men are assigned to be an ak-sakal judge. This is an example of medieval stereotype that women can not be wise. However, women councils were organized in every village in cooperation with municipal structures. These councils can solve very important problems that women face.

There is a very little representation of women in political parties. In social research “Women of Kyrgyzstan: sources of political activeness” that was conducted by “Diamond” Association is shown that only in 8 parties out of 16 (Except Democratic Party of Women) has some women in their bodies. Their representation is not essential – only 1,2 %-7%.<sup>6</sup> Non of these parties consider women as a political power that can independently define the strategy of personal and public activeness. None of the party has a program that would support political activeness of women. Women are considered as objects whose life can be improved from the outside, but

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<sup>6</sup> «Auditorium” Portal, “[www.auditorium.ru](http://www.auditorium.ru)»

not through personal initiative. Possibly, this is a reason why parties do not consider women as a political power.

Kyrgyzstan as other countries signed the Convention on elimination of all forms of discrimination promised to follow the article 7 of the conventions that provides equal conditions and opportunities for men and women to be elected. Constitution of Kyrgyz Republic and other normative acts strengthened these principles. There are many reasons that make an election process for women more difficult:

- Patriarchal-religious traditions of the society
- Totalitarian regime of socialistic society was secular, but it did not provide any motivation for women participation in the political life of the country. There were assigned quotas. Still women wait from the government to promote them into governmental structures.
- Women leaders are not popular. Women are not ready for political fights.

In real life women stay one of the most discriminated strata of population. Nowadays, an example can be a realization of their political rights. Let's analyze an example. Before the collapse of Soviet Union the number of elected women into the Highest Council of USSR was 32,8% (1984). The elected number of women elected into the parliaments of USSR republics was 36% (1985). The number of women who were elected into the parliaments of autonomic republics was 40%. Even though women had quotas they still were not very active. Presently, there are no women in the parliament of Kyrgyz Republic. Women are presented better in judicial system. Among all judges of Kyrgyzstan 29, 9% are women. Women in executive branch make about 18%. Recently, President Bakyev signed a decree that support women participation in decision making process. The representation of women in the governmental and municipal structures should not be less then 30%.

Why women are not active politically? Many experts think that the reason lays in the mentality of Kyrgyz people. They think that women prefer to pass their problems to men. They are not ready to rule. A low level of knowledge and the

domination of stereotypes about women do not let women to participate in election campaign equally with men. In result, more than 54% of Kyrgyz voters are women, but they are minority in politics. After questioning a number of women who were running for elections in Kyrgyzstan the main reason in poor women political presentation is a high level of corruption. In average men have more money then women that gives them more possibility to pass and win elections.

Parliament is a cornerstone of democracy. In order women take a place there first of all they need to understand the importance and the meaning of being elected though democratic way. Then there will be success. It can be done only through education. People need to obtain skills and habits that are very important for democracy. Kyrgyzstan needs to develop a well planed strategy of actions to create a new stereotype of Kyrgyz women. Government need to control the obedience of law. It should motivate political parties to attract more women. In order to implement this goal people need to work with female population in different parts of the country. This process is very long and complicated. For creating such kind of educating system people need to put a lot of efforts into it and to have great devotion to this project. Only at this case citizens of Kyrgyzstan will become familiar with world values which are essential for the process of democracy building.

## **UNIFEM in Kyrgyzstan**

Essential documents on development of Kyrgyzstan, such as “The basics of development of Kyrgyzstan” and “National Strategy on poverty reduction” correspond with Millennium Development Goals. There are stated goals and objectives for the fist decade of the XXI century.

In 2003 UNIFEM started actively to cooperate with countries of Central Asia including Kyrgyzstan. Several projects were lunched aimed on the improvement of legislation against violence, regional experience exchange and provision of access to such kind of information. In the context of regional project UNIFEM “Elimination of violence toward women of Central Asia” was conducted a conference for CIS

countries<sup>7</sup> that addressed the problem of domestic violence. The result of this conference was a developed methodology on lobbying bills in the parliament of Kyrgyzstan. A great example of this work can be people's initiative that was conducted by "Diamond" association. More than 34 000 signatures were collected to support the law on elimination of domestic violence.

Gender inequality is one of the reasons for HIV/AIDS spread among women. UNIFEM fighting HIV/AIDS spreading in the context of pilot project "Development of potentials for combating HIV/AIDS epidemic" is trying to promote women interests in any way. UNIFEM conducted a research of factors and stereotypes that make women more vulnerable in families and their society. A well prepared team conducts educational trainings among rural population, young people, and representatives from governmental and non-governmental structures that are aimed to stop the spreading of HIV/AIDS by changing the stereotypes in the sphere of sexual relationship.

A strict assignment of roles, especially in rural families, is supported by cultural and religious traditions. The most popular fixed stereotype is that family is the main and the only destination of every woman. Women must take care of the household including children, old parents and husbands.

A wide spread opinion that is popular among men as well as women is that women's participation in politics has a bad influence on their families. But the fact that due to economic hardship women has to sit on the market 20 hours a day during any kind of weather conditions is not considered a bad influence on family.

Many people consider political passiveness of women not only because of the mentality, but also because of women themselves. Individual examples of bad political female leaders discourage voters to vote for female candidates. Even though there are many examples of bad male leaders it still influences on the stereotypes of women who are in politics. There is a fixed opinion that people can forgive the mistake of male leaders, than to female leaders.

Due to an active involvement of government, NGOs and other international organizations more and more women know about their rights and opportunities.

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<sup>7</sup> Commonwealth of Independent States. Union of former USSR countries, besides Baltic countries

Women of Kyrgyzstan are very strong and tolerant. They learnt to survive in severe conditions and to bring up their children with love and care trying to give them the best. Kurmanjan Datka, a queen of Alay mountain range in XIX century, is a great example for all women of Kyrgyzstan. She was a very wise, strong and ambitious person. All men of Alay Mountains and Russian ambassadors bowed their heads in front of her. She is a bearer of Kyrgyz women spirit that must be raised again.