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## GENDER EQUALITY AND WOMEN'S SUFFRAGE IN MODERN UZBEKISTAN

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### Abstract

This article is devoted to the issues of implementation of women's suffrage and their participation in public administration in modern Uzbekistan. In this article authors discuss problems of ensuring equality between men and women in the electoral system in Uzbekistan comparing to other developing countries.

History of the origin and development of women's voting right and their involvement in political processes in Uzbekistan is based on international norms and experience of foreign countries. Historical, comparative and a couple of methods were used in order to design this study; factual basis of the study was acts and reports of international organizations, as well as works of domestic and foreign scientists. Regulatory documents on the protection of the rights and freedom, the legitimate interests of women in the Republic of Uzbekistan were investigated with particular attention.

Main features, results and different aspects of reforms in Uzbekistan in recent years were analyzed, which was undertaken in order to reduce gender inequality through legal means. Women's lack of participation in political situations remains significant problem.

What topical issues are determined in scientific studies of the existing inequality of men and women at the present stage? The scientific work presents some proposals for enhancing the socio-political activity of females, strengthening their role in managing the state and society. The study pays great attention to practical problems: gender division of labor, representation of women in power structures. The core of this research is the search for ways to eliminate inequality in the position of men and women in public practice, as well as in the family. The directions of such a search are determined by international legal documents on human rights.

**Keywords:** gender equality, elections, electoral process, gender-legal expertise, quota, political identity, gender policy, gender regime, gender socialization.

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## 抽象的

本文专门讨论现代乌兹别克斯坦妇女选举权的实施及其参与公共行政管理的问题。在本文中，作者讨论了与其他发展中国家相比，确保乌兹别克斯坦选举制度中男女平等的问题。

乌兹别克斯坦妇女投票权的起源和发展及其参与政治进程的历史是基于国际规范和外国经验。为了设计这项研究，使用了历史、比较和几种方法；研究的事实依据是国际组织的行为和报告，以及国内外科学家的工作。乌兹别克斯坦共和国关于保护妇女权利和自由、合法权益的法规文件受到了特别关注。

分析了乌兹别克斯坦近年来改革的主要特点、结果和不同方面，其目的是通过法律手段减少性别不平等。妇女缺乏参与政治局势仍然是一个重大问题。

现阶段男女不平等的科学研究确定了哪些热点问题？科学工作提出了一些建议，以加强女性的社会政治活动，加强她们在管理国家和社会中的作用。该研究非常关注实际问题：性别分工、女性在权力结构中的代表性。这项研究的核心是寻找消除公共实践以及家庭中男女地位不平等的方法。这种搜索的方向由有关人权的国际法律文件确定。

**关键词：**性别平等、选举、选举过程、性别法律专业知识、配额、政治认同、性别政策、性别制度、性别社会化。

## INTRODUCTION

In modern democratic states, elections are the foundation of the principle of democracy; it is the main form of expression of the will of citizens and the form of realization of people's sovereignty. Participation in elections makes it possible to exercise the right to participate in the management of the affairs of society and the state, as well as control over the formation and activities of both Representative and Executive authorities. Paragraph 6 of the 1990 OSCE Copenhagen document<sup>i</sup> set out that the participating states declare that the will of the

people, freely and fairly expressed through periodic and genuine elections, is the basis of the authority and legitimacy of all government. The participating States will accordingly respect the right of their citizens to take part in the governing of their country, either directly or through representatives freely chosen by them through fair electoral processes.

Accordingly, article 117 of the Constitution<sup>ii</sup> of the Republic of Uzbekistan guarantees the right to vote, equality and freedom of expression. Besides, the Election Code<sup>iii</sup> of the Republic of Uzbekistan, adopted on June 25, 2019, regulates relations related to the preparation and conduct

of elections and establishes guarantees that ensure the free expression of the will of citizens of the Republic of Uzbekistan.

## **MATERIALS AND METHODS**

### **Historical facts about women's suffrage**

Clearly, for a long time around the world, the right to vote was the privilege of only the male population. Before 1917, women had active suffrage only in a few countries – Australia, Denmark, Iceland, New Zealand (one of the first to introduce women's suffrage in 1893), Norway. The official interpretation of this qualification was due to the widespread opinion that a lot of women should always be the routine of the household. This well-established view of the role of women in society has long hindered the involvement of women in the political process. However, as the political consciousness of the female population grew, its involvement in social and economic life and the struggle of progressive forces intensified, so did the movement for granting women's right to vote (in the Great Britain they received the right to vote in 1918, in the USA in 1920, in France in 1944, in Italy and Japan in 1945, etc.). The Swiss Female population received the right to vote only in 1971<sup>iv</sup>, while the Turkestan ASSR (TASSR) established this right in its Constitution in 1918. By the middle of the 20th century, the promotion of women's suffrage increased, which led to its consolidation in international law. Some of the latter are Kuwait (2005), United Arab Emirates (2006) and Saudi Arabia (2011)<sup>v</sup>.

### **International instruments**

The Universal Declaration of Human Rights<sup>vi</sup>, adopted by the United Nations in 1948, states that everyone is entitled to all the rights and freedoms set forth in the Declaration without

distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. The need for member states to take measures aimed at promoting women's rights, including the principle of equal rights of men and women in their national constitutions or other relevant legislation. Besides that, increasing the participation of women on an equal basis with men in all areas of public and political life of the country was officially recognized in 1979, when the UN General Assembly adopted the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)<sup>vii</sup> and Uzbekistan acceded to the Convention on July 19, 1995. This document is rightly called “The International Bill of Women's Rights” and obliges member states to ensure that women, on equal terms with men, have the right to participate in the formation and implementation of government policies, to hold public office, and to exercise all public functions at all levels of government (Article 7). On 28 September 1995, Uzbekistan ratified the International Covenant on Civil and Political Rights<sup>viii</sup>, which obliges women and men to enjoy all civil and political rights on an equal basis.

Furthermore, the fourth UN World Conference on Women, held in Beijing in 1995, addressed the urgent issue that the progress made in achieving equality between men and women is insufficient. In response, governments adopted the Beijing Declaration and the UN Platform for Action, which set out the most important and worrying factors affecting women's empowerment. The Platform for Action notes that participation of both sexes in decision-making processes is not only fair, but also beneficial, and that the absence of women in politics means that their interests are likely to be

ignored. Women's representation and participation in decision-making at all levels are essential for achieving the goals of equality, development and peace<sup>ix</sup>. Recognition of the importance of women's political participation has become an integral part of the Beijing Platform for Action. This document calls for urgent action to address the difficulties and obstacles to the advancement of women by ensuring the full enjoyment of the human rights of women and girls as an inalienable, integral and indivisible part of universal human rights and fundamental freedoms, removing all obstacles to achieve gender equality and the advancement and empowerment of women on a global scale<sup>x</sup>.

Women are on an equal legal standing with men across all eight indicators (mobility, workplace pay, marriage, parenthood, entrepreneurship, assets and pension). World Bank estimates published in 2019 «Women, Business and the Law 2019: A Decade of Reform»<sup>xi</sup> analyzed the changes that were made into the legislation of 187 states over the past decade, the average global score is 74.71, indicating that a typical economy only gives women three-quarters the rights of men in the measured areas. OECD high-income economies score the highest with an average global score of 93.54, followed by Europe and Central Asia (84.70), in this rating, Uzbekistan received 70.63 points. The indicator area in which there is room to improve is Pay. Ninety economies still have at least one restriction on the jobs women can hold. However, in Europe and Central Asia, whose economies have the longest lists of jobs prohibited for women, progress is being made. Many economies have been driven to lift restrictions on women's employment because of labor shortages in male-dominated industries and

the recognized economic benefits of higher female labor force participation. For example, Uzbekistan abolished its list of over 450 professions that were off-limits to women<sup>xii</sup>.

It should be pointed that, women and men have equal rights, according to the Article 46 of the Constitution of the Republic of Uzbekistan. President of Uzbekistan Shavkat Mirziyoyev noted in his speech at the 20th plenary session of the Senate of the Oliy Majlis followings: "It is known that in the life of any country, every nation, such concepts and values as the individual, family, society and the state are crucial. And the most important link and basis of society – the family – is impossible to be imagined without a woman. From time immemorial, our people have shown high respect for women, especially honoring the image of the sacred Mother. Respect for women is first of all respect for the family and the future of our society. In this context, the words “The cultural level” of any society is determined by its attitude to women”, have a deep meaning<sup>xiii</sup>.

The famous Uzbek writer Abdurauf Fitrat highlighted the special role of women and wrote that “the wise people know that the basis of political, religious, and social revolution is connected with the upbringing of children that the efforts of the people, their wealth, their happy life, the acquisition of respect, and becoming strong, begin with childhood, surely with the upbringing of both father and mother”<sup>xiv</sup>.

### **Gender equality in Uzbekistan**

Obviously, the problem of the correlation between women's rights and real participation in public administration remains relevant to this day. The law of the Republic of Uzbekistan “on

Guarantees of Equal Rights and Opportunities for Women and Men”<sup>xv</sup> guarantees women and men equal rights in the exercise of personal, political, economic, social and cultural rights. The state guarantees women and men equal participation in the management of public and state affairs, the electoral process, and equal rights and opportunities in the areas of health, education, science, culture, labor, and social protection, as well as in other areas of state and public life.

A number of laws have also established equal rights for women and men in various fields since the independence of Uzbekistan. The law “On Citizenship of the Republic of Uzbekistan”<sup>xvi</sup> states that “...citizens of the Republic of Uzbekistan are equal before the law regardless of their origin, social and property status, race, nationality, gender...”. The Labor Code of the Republic of Uzbekistan<sup>xvii</sup> provides for equal opportunities in the possession and use of labor rights; and the establishment of any restrictions or advantages in the field of labor relations based on gender ... is unacceptable and constitutes discrimination. Equality between women and men in family relations, as stipulated in the Family code, is based on the principle of voluntariness and equality<sup>xviii</sup>. Also, the Law of August 28, 2019 amended article 15 of the Family code of the Republic of Uzbekistan and set the age of marriage for men and women at eighteen years for both sexes.

Moreover, the Gender Inequality Index is a combined indicator of the United Nations Development Program (UNDP), which measures human development in countries around the world in terms of gender equality, where Uzbekistan is ranked 64th out of 162 countries

with an indicator of 0.303<sup>xix</sup>. This index evaluates the real situation of women in different countries in three critical areas: “Reproductive health, civil rights and opportunities, labor market opportunities.” In 2010, the UN introduced Gender Inequality Index as one from integral indicators of state society, which once again confirms the importance of equality in all areas in the states.

Owing to, the fourth block of “The Strategy of Actions on five Priority Areas of Development of the Republic of Uzbekistan in 2017-2021” provides for increasing the socio-political activity of women, strengthening their role in government and society<sup>xx</sup>.

In particular, over the past three years, significant steps have been taken to strengthen the legal and institutional framework for gender equality. About 20 normative legal acts on protection of women's rights and interests have been adopted, including 2 Laws, Resolutions and Decrees of the President, 13 Resolutions of the Cabinet of Ministers of the Republic of Uzbekistan. The legislation was inventoried for compliance with women's labor and entrepreneurship rights standards.

## RESULTS AND DISCUSSION

As the President of Uzbekistan noted, in the current era of globalization, the protection of women's rights and freedoms and legitimate interests is becoming even more relevant. Increasing their socio-economic and political-legal activity is becoming a requirement of the time. Today, in the system of state and public organizations of our country, about 1.4 thousand women hold leadership positions. There are 17 women in the Senate and 21 in the Legislative

chamber. Women make up more than 23% of the local Kengash deputies. At the elections held in May of 2019, 1,025 women were elected as chairmen of citizens' gatherings. Their number among managers at enterprises is growing. If in 2017 this figure was 44.2 percent, this year it is 45.3 percent<sup>xxi</sup>. Sixteen women held senior positions in the Ministry of the Internal Affairs, six in Hokimiyats (local government) and one in Ambassador positions. In addition, about 1,500 women hold leadership positions at various levels<sup>xxii</sup>. Overall, the largest gender gap exists in politics - 77.1%. This means that, for example, only 18% of Ministers are women, and 24% of deputies are slightly more than that. There are also few women in leadership positions in the economy and IT<sup>xxiii</sup>.

It must be emphasized that, the Organization for Security and Co-operation in Europe's Office for Democratic Institutions and Human Rights (OSCE/ ODIHR) is taking steps to support women's participation in local government, promote dialogue between elected officials and civil society, and develop women's political leadership skills<sup>xxiv</sup>. The final report of the limited monitoring mission for the Parliamentary elections in Uzbekistan on 21 December 2014 recommended that the OSCE / ODIHR consider increasing the representation of women in key positions in the bodies responsible for the preparation and conduct of elections. Today we can note a positive trend in the growth of women's participation in the system of election commissions, so the number of women members in the Central Election Commission has increased to 35% (previously it was 18%), in district election commissions to 46% (previously about 21%).

### **Political activity**

Moreover, the economic, social, and political reforms being implemented in Uzbekistan, as well as in the sphere of state-building and governance, do not avoid increasing the role of girls and women, creating conditions for them to develop their potential, knowledge, and talent. The implementation of Five Initiatives of the President contributes to increase attention to the role of women and their employment in various fields. Increasing the political activity of women in our country will help solve many social problems. The more actively we promote women, the faster and more effectively problems related to women in society will be solved. Women who actively and freely express their political and civic positions will have the opportunity to realize their potential, have a permanent job, raise their children and move forward in society. The empowerment of women is about respecting the principle of equality and ensuring the fair and sustainable development of society.

In fact, the nomination of candidates is the most important moment of the electoral process in the political life of the party. The Election Code of the Republic of Uzbekistan sets a mandatory quota for the nomination of women candidates. The number of women must be at least thirty percent of the total number of candidates for deputies to The legislative chamber of the Oliy Majlis, as well as for deputies of local Kengashes nominated by a political party.

In recent years, electoral quotas have become a popular political mechanism designed to attract a large number of women to political life. A quota is a means of ensuring that members of a group of voters, such as women, are included in the

membership of representative institutions (in the established minimum number) as delegates, candidates, or elected representatives of state power. About 50 countries in the world have adopted a Law “on the Protection of Candidate Quotas”, which guarantees that women will make up a certain percentage of candidates for political office. Hundreds of political parties in 30 countries have adopted their own voluntary quotas for women. But the practice of candidate quotas only gives good results when women candidates are placed in winning positions on the party list, and for non-compliance with quotas, a penalty is provided<sup>xxv</sup>. As an example of the above-mentioned norm of the Election Code of the Republic of Uzbekistan, which is mandatory and serves to strengthen the role of women in politics.

Consequently, the research shows<sup>xxvi</sup> that the number of women in Parliament plays a positive role, since the more women in legislative body, the more likely it is that it will address women's issues and change the gender dynamics in the house of Parliament. The size of the ratio of female members of Parliament strongly influences the nature of policy discussions. Given the low representation of women in parliaments and other decision-making bodies, political parties should take the initiative and take measures to address the issue of gender equality in governance<sup>xxvii</sup>.

However, today, it is important to understand: what benefits can society as a whole gain by creating a state with political governance based on the partnership of men and women in politics? The answer is simple: the partnership of men and women in politics is a source of fuller and more representative democracy, since it creates real

opportunities to take into account multipolar interests in society<sup>xxviii</sup>. The introduction of a quota system in Uzbekistan in 2004<sup>xxix</sup> encouraged parties to actively attract women to their ranks, as well as to search for and select not only female candidates, but also qualified and competent candidates to fill quotas.

In the 2014 Parliamentary elections, all 4 parties nominated candidates in all 135 electoral districts (previously there were 135 districts and 15 quota seats for the Environmental movement). The CEC registered 535 candidates, including 170 women (31.8%) and a number of representatives of national minorities. All four parties nominated mostly new and younger candidates. Their age was 10-15 years younger than the current deputies, of whom 20 percent are re-elected. This rejuvenation "was presented as a “next step” towards strengthening the role of political parties and the Parliament<sup>xxx</sup>.

Nevertheless, the President Sh. Mirziyoyev criticized the weak work of political parties in this direction: " ... ten years ago, women accounted for more than 20% of the members of the Senate and deputies of the Legislative chamber. Today, this figure has dropped to 17 percent in the upper house and 16 percent in the lower house. What does this mean? The answer is clear: political parties do not pay enough attention to attracting educated, initiative and organizational women to their ranks and increasing their political and social activity. At the same time, according to the UN, the representation of women in parliaments is growing all over the world and in 2018 reached the level of 24.3%," he further noted, “there are many women in our country who set an example for everyone with their intelligence, deep

knowledge, extensive life experience, selfless work and high personal qualities. If such hard-working and educated women with a broad political outlook can demonstrate their potential and be elected as deputies or senators in the upcoming elections to the Oliy Majlis and local Kengashes. I am sure that both the state and society will benefit from this. Increasing women's representation in Parliament and local kengashas will allow women's interests and opinions to be taken into account in the legislative process, as well as gender issues in the formation of the state budget<sup>xxxvi</sup>.

According to the results of elections to the Oliy Majlis and local councils in December 2019, 29.1% of the members of both chambers of the Oliy Majlis are women (72 out of 248 members of parliament) and women for 25% in local councils. This figure is 4.9% higher than the world average (as of January 1, 2019, the share of women among members of national parliaments in different countries ranged from 0% to 61.3%, the average was 24.2%)<sup>xxxvii</sup>.

Importantly, "...Women make up half the population, and they hold half the sky on their shoulders and should take an equal part in making decisions that affect their lives and the life of their country"<sup>xxxviii</sup>. If you look at the population statistics of the ratio of women to men as of January 1, 2020, there are 989 men per 1000 women in Uzbekistan (in urban settlements - 997, in countries - 981)<sup>xxxix</sup>. These figures speak for themselves, given that more than half of the population is female, their rights and interests should be represented by female delegates in an equal ratio with men in managing the affairs of society and the state. At the same time, for example, the distribution of the number of

employees employed in enterprises and organizations by gender at the end of 2018, the percentage of employment of women is 41.8%, while men – 58.2%<sup>xxxv</sup>.

In fact, since the beginning of 2017, for the first time in the history of independent Uzbekistan, national virtual reception offices have been created in each administrative unit in order to simplify the interaction of citizens with public services. Monitoring of virtual reception rooms revealed a number of problems from the incoming applications of women. This calls for a more systematic approach to the issue of gender equality.

The most important step was the adoption of The Presidential Decree of "On Measures to Radically Improve Activities in the Field of Supporting Women and Strengthening the Family Institution"<sup>xxxvi</sup> and the Decree of the President of the Republic of Uzbekistan "On measures to Further Strengthen Guarantees of Labor Rights and Support Women's Business Activities"<sup>xxxvii</sup>, which served to increase women's socio-political and social activity, create conditions for their self-realization in various spheres and industries, and ensure unconditional respect for women's rights and legitimate interests. The resolution provides for the establishment of "Centers of entrepreneurship of women", to attract the women's centres who have expressed a desire to engage in entrepreneurial activities, and assist in the organization of business activities with a status of non-profit organizations, where women wishing to become entrepreneurs are trained at a special training program based on the list generated by the Governor and Committee of women. Women who have successfully

completed a special training program, on the recommendation of the women's Committee, are granted preferential loans for a period of at least 3 years with a 6-month grace period and an 8% annual rate. The source of concessional credit funds is the resource funds in the amount of 100 billion soums allocated annually to commercial banks by the Public Fund for women and family support. At least 50% of these resources are allocated to business development of women living in rural areas.

In addition, the new “Committee on Women and Gender Equality” has been established in the Senate of the Oliy Majlis of the Republic of Uzbekistan, whose main task will be to develop recommendations on state policy in the field of gender equality and women's active participation in state and public work. Moreover, the activities of this Committee will contribute to raise public awareness of gender equality in Uzbekistan, implementing initiatives that support women's participation, as well as consolidating the efforts of various parties in the course of effective and results-oriented work on gender issues.

It should be pointed out that it is important for political parties to view women as active political figures rather than as passive members. Women parliamentarians can push for change, hold leadership positions, and actively participate in internal party processes if the procedures, structures, and policies of the political party facilitate this<sup>xxxviii</sup>. In order to support women's participation in political parties, the ODIHR collects and distributes good practices in the field of voluntary measures that effectively promote the role of women in political parties. The Bureau pays particular attention to strengthen internal party democracy and integrating gender

perspectives into the internal regulations of political parties, so that both women and men can participate equally in party structures and decision – making bodies, as indicated in the OSCE / ODIHR and the Venice Commission publication “Guidelines on Political Party Regulation<sup>xxxix</sup>”.

### **The situation in the world**

Obviously, the media play an important role and all these topics should be covered through broad information campaigns. Finally, we would like to give an example from the world news, the Nobel Committee announced the winners of the 2019 Nobel prize in Economics: Abhijit Banerjee, Esther Duflo and Michael Kremer. And the news was transmitted to the world through several major media outlets in this way: “Indian-American mit Professor Abhijit Banerjee and his wife receive the Nobel prize in Economics”, Esther Duflo is considered one of the greatest minds in the development of the economy, introducing an experimental approach to poverty issues such as child health and access to education. Its effect, along with the work of Banerjee and Kremer, in the field of economic development deserves recognition for helping to transform the field of Economics as a whole, as a result of which the previously theoretical discipline was introduced and rooted in reality. She is the Director of the MIT science laboratory, a 2010 MacArthur grant recipient, and the youngest recipient of the Nobel prize in its 50-year history.

The Nobel prize is becoming an outdated, obscure way of honoring people (men)<sup>xl</sup>, write scientists of the world. Such a strong reaction from the scientific community was caused by the title of articles that indicated Esther Duflo only

as a wife, in the background. This kind of thinking may seem backward<sup>xli</sup> when put in cold print, but its tangible consequences can be seen even at the highest intellectual level: Duflo is only the second woman in the history of the Economics prize to receive this honor. More broadly, in the history of the Nobel prizes, only 5% of the winners were women. Until we begin to view women as more than just the wife of a more important man who deserves to be named first, or exclusively, we can never hope to view their achievements with the same respect – and we never hope to see that number rise to 50%.

## CONCLUSION

Taking everything into account, to better understand the views of voters (women and men), it was recommended to conduct public opinion polls. It is important to note that some parties have sought to provide greater support for women in elected positions, and to use the experience of these representatives to encourage other women to run for office and support women candidates. Political parties' action plans to support gender equality are comprehensive strategic documents that provide a clear road map for further expanding women's participation in political life and changing the party's internal policies and procedures to ensure gender equality<sup>xlii</sup>. It is clear that the main goal of the parties is a good result at the end of the election. To do this, they must carefully select candidates, attract potential female candidates, and support the development of their talent and potential. Parties should cultivate women politicians who can have a significant impact on the political processes and political culture of society and the state. The strategy for nominating candidates for deputies can be more effective if systematic approaches are applied, as well as due to the

coordination and consistency of the process. This strategy should be implemented well in advance and throughout the entire election cycle.

Importantly, to achieve equal participation of women in the political sphere, new, more thoughtful and consistent efforts of political parties are required, as well as a new approach to the use of political technologies in the nomination of women candidates. The development of comprehensive measures, new programs and strategies aimed at supporting greater participation of women in all aspects of political life, as well as the use of best practices from foreign countries, will significantly improve the performance in the country's representative power. Furthermore, laws must be meaningfully implemented in practice, and this requires persistent political will, sustained efforts on the part of women and men, and changes in entrenched cultural norms and attitudes. Ultimately, laws are only tools that empower women and encourage the state to guarantee women's full and equal participation in the political and economic life of the country. Everything else is ensured by the continuous participation of the entire civil society in this process.

## Conflict of interest

Author declares that there is no conflict of interest.

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