

# GENDER EQUALITY AND WOMEN'S SUFFRAGE IN MODERN UZBEKISTAN

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## 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.

### **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 the 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 the right to vote (in 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 achieving gender equality and the advancement and empowerment of women on a global scale<sup>x</sup>.

Women, Business and the Law 2021 updates the index of countries, measuring that women are on an equal legal standing with men across all eight indicators (mobility, workplace pay, marriage, parenthood, entrepreneurship, assets, pension). Women, Business and the Law data reveal that greater progress has been made in closing gender gaps in legislation, suggesting that, on average, legal reforms may precede improvements in women's opportunities and outcomes. However, the range of economy scores shows greater variation between achievement of legal gender parity: the lowest Women, Business and the Law index score is 26.3 and the highest, 100. The Global Gender Gap Index 2020 ranges between 49.4 and 87.7. Correlating the two measures shows that where women face less discrimination under the law, greater progress has been made in closing gender gaps in opportunities and outcomes. OECD high-income economies score the highest with an average global score of 95.1, followed by Europe and Central Asia (83.4), in this rating, Uzbekistan received 70.6 points. Uzbekistan introduced rights to nondiscrimination in access to finance through broader legislation that also guaranteed gender equality. Uzbekistan's Law on the Guarantees of Equal Rights and Opportunities for Men and Women of 2019 prescribes nondiscrimination in the provision of movable and immovable property, land, financial assets, and loans. Uzbekistan made access to credit easier for women by prohibiting gender-based discrimination in financial services<sup>xi</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 imagine 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>xii</sup>.

The economic, social and political reforms carried out in Uzbekistan are aimed at increasing the role of girls and women in society. The implementation of five important initiatives of the President contributes to the provision of women with employment in various fields.

### **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>xiii</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>xiv</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>xv</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>xvi</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>xvii</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>xviii</sup>.

In particular, over the past five years, significant steps have been taken to strengthen the legal and institutional framework for gender equality. About 30 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.

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. 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>xx</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>xx</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>xxi</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 increasing attention to the role of women and increasing 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>xxii</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>xxiii</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 the 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>xxiv</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>xxv</sup>. The introduction of a quota system in Uzbekistan in 2004<sup>xxvi</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>xxvii</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”<sup>xxviii</sup>.

The work was carried out in the republic under the leadership of President Sh. Mirziyoyev to enhance the role of women in political processes and expand their participation in electoral processes has received international recognition. According to the IPU's annual report "Women in Parliament" and data from the UN-Women

organization, for the first time in history, as of January 2021, the global share of women in national parliaments was more than a quarter – 25.5%. According to the results of the parliamentary elections at the end of 2019, they accounted for 32%<sup>1</sup> of the deputies of the Legislative Chamber of the Oliy Majlis, 25% in the Senate. According to this indicator, Uzbekistan entered the top 50 countries (the country ranks 37th out of 190). This testifies to fundamentally new approaches and trends in organizing the activities of the Uzbek parliament.

Importantly, “...Women make up half the population, 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>xxxix</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 rural areas 981)<sup>xxx</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>xxxi</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>xxxii</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>xxxiii</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

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<sup>1</sup> It was only 6% in 1995.

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 raising 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 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>xxxiv</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 strengthening 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>xxxv</sup>”.

## 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>xxxvi</sup>. It is clearly 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.

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.

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