



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

List of issues and questions in relation to the combined third and fourth periodic reports of Kazakhstan*

Constitutional and legislative framework

1. The report indicates that the State party has elaborated and approved guidelines for conducting a gender analysis of domestic legislation and that at the time of the preparation of the report (2011), the gender analysis was ongoing (paras. 144-146).¹ Please provide information on the progress made with regard to the gender analysis of domestic legislation and its outcome.

2. Does the act on State guarantees of equal rights and opportunities for men and women, adopted in 2009, which sets the legal basis for guaranteeing equal rights for men and women in all spheres of life adequately provide for the implementation of gender equality? Please explain if it guarantees measures, inter alia, for the increased participation of women in decision-making positions or for their protection from sexual harassment and violence in public and private life? Please explain how the National Commission on Women and Socio-Demographic Affairs intends to build on the commitments made through the country development strategy "Strategy 2050" on gender equality and women's empowerment so that this area is accorded proper attention within state-sector programmes and strategies and results in increased accountability of relevant sector ministries and bodies.

National machinery for the advancement of women

3. In its previous concluding observations ([CEDAW/C/KAZ/CO/2](#), para. 19), the Committee expressed its concern about the fact that the National Commission on Family Affairs and Gender Policy might lack sufficient authority, decision-making power and financial and human resources to effectively coordinate work on the promotion of gender equality and ensure the full implementation of the Convention. The report, in paragraph 85, states that the National Commission on Women's Affairs and Family and Demographic Policy now coordinates the activities of State

* Adopted by the pre-sessional working group for the fifty-seventh session, meeting from 29 July to 2 August 2013.

¹ Unless otherwise indicated, paragraph numbers refer to the combined third and fourth periodic reports of the State party (CEDAW/C/KAZ/3-4).



bodies relating to the advancement of gender-equality issues and that its secretariat has been transferred from the Chancellery of the Prime Minister to the administration of the President in order to “strengthen the national gender-equality mechanism”. Please state the specific areas where the national mechanism for the advancement of women has been strengthened following its transfer. Please explain the rationale behind the linking of women’s issues with the mandate on demography.

Temporary special measures

4. The report, in paragraphs 189 and 190, states that legislation in the State party is aimed at achieving de facto equality between men and women and that the act on State guarantees of equal rights and opportunities for men and women indicates areas in which temporary special measures can be introduced. Please provide information on what kind of temporary special measures have been introduced and where and the impact that they have had on achieving women’s de facto equality.

Stereotypes and harmful practices

5. The Committee, in its previous concluding observations ([CEDAW/C/KAZ/CO/2](#), para. 13), expressed its concern about the persistence of patriarchal attitudes and deep-rooted stereotypes regarding the roles of women and men in the family and in the society, notwithstanding the State party’s efforts to introduce courses on gender-related subjects. Please provide information on the monitoring of the implementation of current measures as well as other measures aimed at eliminating the persistent patriarchal attitudes and deep-rooted stereotypes regarding the roles of women and men in the family and in the society. Please provide information on measures provided, including awareness-raising and educational campaigns directed specifically at the media, to project a positive image of women and promote gender equality.

Violence against women

6. The report acknowledges that violence against women and sexual exploitation have not been eliminated (para. 582). The report states that women often conceal that they have been victims of domestic violence (para. 69). Please provide information on the specific measures taken to address underreporting of cases of violence against women and the culture of silence so that violence against women and its sociocultural legitimization are effectively combated.

7. According to the report, since the State party adopted, in 2009, the Domestic Violence Act, which, inter alia, provides protection orders, a total of 26,000 restraining orders have been granted (para. 66). Please provide information on the availability of follow-up data on those orders, the percentage of protection orders violated, the percentage leading to prosecution and the outcome. Also, please provide information on the number of complaints made under the Domestic Violence Act. Please also provide information on measures taken to: (a) conduct sensitization and awareness-raising campaigns on the law; (b) provide training to judges and prosecutors on the law; and (c) provide legal assistance to women and girls who are victims of domestic violence. Please also explain the distinction between offences that are amenable to administrative and criminal penalties under the Domestic Violence Act.

8. Although the report states that there are 28 crisis centres, including 7 with shelters, and that 20 of those shelters are funded by the State budget in the framework of social service initiatives (para. 64), such support is irregular and time-bound, as it is based on social tender budget procedures. Furthermore, legal and administrative standards to guide the services provided to the victims in those centres and shelters are lacking. Please provide information on what measures are being taken to ensure regular and adequate funding and to put in place operating standards at shelters for women victims of violence in the State party. Also, please provide information on measures taken to develop a State-operated national hotline for survivors of domestic violence.

9. Considering the special status that the State party has with the Council of Europe, please explain whether the State party is considering signing and acceding to the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence.

Trafficking and exploitation of prostitution

10. According to information before the Committee, a draft bill proposing amendments to legislation on combating human trafficking was introduced by the Ministry of the Interior in January 2013. Please provide information on the draft bill and the changes in the law that it seeks to introduce and how those changes would affect women victims of trafficking. Please indicate the time frame and the priority being accorded to efforts to combat trafficking in view of the Committee's previous concluding observations ([CEDAW/C/KAZ/CO/2](#), paras. 17 and 18).

11. The report states that pursuant to amendments made to the presidential order on the legal status of foreign nationals in the State party, foreign nationals recognized as victims of trafficking are now guaranteed temporary residence (para. 225). Please provide information on the length of the period of temporary residence and the number of foreign women who have benefited from that order since its adoption.

Participation in political and public life

12. The report indicates that women remain underrepresented in legislative bodies (*majilis*, *malikhats* and *akims*), in decision-making positions and at high levels of the civil service and the judiciary (paras. 25-30). Please provide information on the concrete measures taken to achieve 30 per cent representation of women in all decision-making bodies provided in the Gender Equality Strategy, 2006-2016, as well as the challenges faced in its implementation (para. 30).

13. According to the report, the National Commission on Women's Affairs and Family and Demographic Policy has concluded a memorandum with the political party in power (Nur Otan) that resulted in the compilation of a national roster for nominating the most highly qualified women to leadership positions (para. 179). Please provide information on the number and placement of women who have been appointed to different positions as a result of this memorandum. Please also provide information on existing temporary special measures, including quotas aimed at improving the representation of women in political and public spheres of life and in decision-making positions.

Education

14. Please provide information on measures taken to overcome horizontal gender segregation based on stereotypical choices of subjects and courses in education (CEDAW/C/KAZ/CO/2, para. 13). Also, please provide information on rural women's access to formal and informal education to ensure their functional literacy as well as to community services, consultative services on agriculture and improvement of technical skills. Please provide information on the impact of the harmful practice of early marriage among some ethnic groups on dropout rates for girls from those communities as well as on measures taken and results achieved in this area. According to the report, a working group has been set up to coordinate the gender analysis of textbooks and teaching materials at all levels of education (para. 305). Please provide an update of the work of the working group and the progress made to remove all stereotypes prevalent in textbooks and teaching materials, as recommended by the Committee in its previous concluding observations (CEDAW/C/KAZ/CO/2, para. 14). Please provide information on measures taken to include mandatory age-appropriate education on sexual and reproductive health rights in school curricula, including responsible sexual behaviour. Please provide information on the implementation of the programme on health and life skills (para. 321).

Employment

15. According to the report, women earn 66 per cent of the wages earned by men and that this is attributable to women's concentration in the low-paid sectors of employment (para. 353). The report also indicates that the State party has embarked on a programme aimed at enhancing the prestige of the teaching profession by raising the average salaries to the level of those paid in the private sector by 2015 (para. 354). Please provide information on the full range of measures being taken to close the gender pay gap and to address the occupational segregation between men and women in employment. Please also provide information on any measures taken to increase women's employment in non-traditional and relatively better-paid areas of employment (para. 22).

16. Please provide data on the percentage of women with child-care responsibilities, as well as those with disabled children or other family members, in both the public and private sectors, who use flexible working arrangements provided under article 85 of the Labour Code (para. 345). According to the report, the Pensions Act sets the retirement age at 63 years for men and at 58 years for women (para. 357). Please explain the plans to equalize the retirement age for women and men and provide information on how the plan is envisaged to protect women from poverty in old age without placing an unfair burden on them during their working lives.

Health

17. Please provide detailed information and data on the prevalence of and trends in teenage pregnancies, abortions and maternal mortality/morbidity rates, including any measures that are being taken to respond to the unmet needs for family-planning services for adolescents (15-19) and disabled women, particularly in rural areas. Please state the measures in place to prevent mother-to-child transmission of HIV and provide information on any measures taken to address stigma, discrimination

and violence targeted at women who are infected with HIV. Please comment on the high prevalence of sexually transmitted infections among women and on the accessibility of women to affordable treatment of such diseases. Please state whether patients who do not disclose the possible sources of sexually transmitted infections or do not agree to undergo long-term medical follow-up of such diseases are prosecuted under the Code of Administrative Violations.

Women in prison

18. Please provide information on measures taken to prevent and investigate allegations that women in prison are subjected to corporal punishment, including hooding and electric shock, by law enforcement personnel. Please describe any measures that have been taken to address the lack of adequate prisons (colonies) for women so that women prisoners are not held far from their families and friends.

Marriage and family life

19. Please provide information on the impact of measures taken to increase the rate of success of applications by divorced mothers to secure alimony from their former husbands. Please also provide information on the present legal and de facto conditions of single mothers who are not supported by former partners in taking care of their children and any measures taken to address this situation.
