



**Convention on the Elimination
of All Forms of Discrimination
against Women**

Distr.: General
17 March 2005
English
Original: Russian

**Committee on the Elimination of
Discrimination against Women**

**Consideration of reports submitted by States Parties under
article 18 of the Convention on the Elimination of All Forms
of Discrimination against Women**

Second periodic report of States Parties

Kazakhstan*

* The second periodic report was received by the Secretariat on 3 March 2005.

For the initial report submitted by the Government of Kazakhstan, see CEDAW/C/KAZ/2 [sic], which was considered by the Committee at its twenty-fourth session.

APPROVED by
resolution of the Government of Kazakhstan No. 1295, of
9 December 2004

REPORT
on implementation of the Convention on the Elimination of All Forms
of Discrimination against Women

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Preface

The report on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women (hereinafter referred to simply as the Convention) provides data on the socio-economic changes that took place in the Republic of Kazakhstan in 1999–2003, as well as on the progress made in the implementation of the Convention.

The report was prepared on the basis of extensive analytical material submitted by all the ministries, departments, and regional commissions on the family and women. Non-governmental and international organizations also took an active part in drafting it.

A draft of the report was coordinated with ministries and departments and was discussed at a roundtable in which representatives of State agencies and international and non-governmental organizations whose proposals were taken into consideration when the report was finalized took part.

In preparing the report, the working group followed the guidelines of paragraph 2 of article 18 of the Convention, as well as the Report Preparation Guidelines.

The report took into consideration the final comments and recommendations of the Committee on the Elimination of Discrimination against Women (CEDAW) that were received after the first report on Kazakhstan was presented in January 2001.

Part I of the report provides general information on the Republic of Kazakhstan, the population, the political structure, the system of legislative bodies for protecting human rights, and the efforts made in the republic to disseminate human rights information.

Part II provides information, article by article, on the changes that have taken place during the reporting period in enactments and administrative and other measures for the fulfilment of obligations assumed by Kazakhstan under the Convention, on the progress made, on the existing obstacles, and on the steps planned for further implementing the Convention.

The report includes the results of the implementation of the National Plan of Action for the Improvement of the Status of Women in the Republic of Kazakhstan, which was drawn up in accordance with the 12 priority areas of the Beijing Declaration and Platform for Action adopted at the Fourth World Conference on Women.

We are deeply grateful to CEDAW Committee chair Ms. Ayse Feride Açar and UN experts Ms. Christine Brautigam and Ms. Koh Miyaoi for their participation in the training seminars on the compilation of reports on this Convention in Almaty in November 2000 and May 2004 and for their practical assistance in preparing this report.

Part I. General information

1. The country and its people (basic gender characteristics)

After the first report, considerable socio-economic and socio-political changes that facilitated a fuller realization of human rights took place in the Republic of Kazakhstan from 1999 through 2003.

The negative trend observed in population growth from 1993 through 2001 was reversed. The population grew at a rate of 0.1% in 2002 and 0.6% in 2003 and, as of early 2004, stood at 15 million, which was due to an increase in the birth rate, the repatriation of Kazakhs to their historical homeland, and the re-emigration of former citizens.

Life expectancy for women rose to 71.46 years in 2003 from 70.88 in 1999; for men, it dropped to 60.45 years from 60.62.

Labour and employment

Acknowledging the objective assessment of the CEDAW Committee that the adjustments had a negative impact on the status of women in the country, one can now say that that impact has declined.

The labour market in Kazakhstan is showing a decline in the level of unemployment, a continuing redistribution of the work force among the sectors and branches of the economy toward the nongovernmental sector, and growth in the number of people who work for hire.

In 2003, employment was at almost 90% among women and 93% among men. The level of unemployment for the entire population was 8.8% (in 1999, it was 13.5%), or 7.2% among men and 10.4% among women.

Among the unemployed women, 16% had a higher education, 38%, a general secondary education, and 27%, secondary vocational training.

Most of the unemployed women are 20–34 years old (45.3%), and most of the unemployed men, 16–29 (47.9%).

A third of the unemployed women live in rural areas.

Self-employed women, more often than not, are in agriculture and trade.

The number of women working in harmful and hazardous working conditions is diminishing.

In 2003, the average monthly wage of women increased almost twofold higher than it was in 1999 and amounted to 17,000 tenge (US\$125). At the same time, the ratio of women's average monthly wages to those of men is dropping. If women's wages were 67.6% of men's wages in 1999, they were 60.8% in 2003. That trend is also being maintained in what are traditionally "women's" sectors (health care, education, social services, and cultural activities).

Women at the decision-making level

The Parliament of the Republic of Kazakhstan now has 11 women, who constitute 9.5% of the total number of deputies. Women constitute 17.1% in the maslikhats [local representative bodies].

Under article 12 of the Republic of Kazakhstan law on State service, no direct or indirect gender-based restrictions of any kind may be placed on individuals entering State service.

The number of women in State executive agencies has grown since 1999 and now constitutes 58.5%. In State policy-making positions, i.e., at the decision-making level, women hold 11.1% of those positions.

In 2004, for the first time in the history of sovereign Kazakhstan, a woman was named deputy prime minister of the Republic of Kazakhstan. In addition, two women have been named ministers; nine, deputy ministers; one, chair of the Central Elections Commission; and seven, deputies of oblast akims [governors]. Women make up 17% of rayon akim deputies, 11% of deputies of rural districts and town precincts, and 18% of their deputies.

Women head 24% of all the country's enterprises and organizations.

Education

As noted in the initial report, Kazakhstan has created the conditions for implementing the rights of citizens to free general secondary education and beginning vocational training and, on a competitive basis, secondary vocational training and higher education.

The education level of men and women is high, and there are no appreciable differences. The general level of literacy for men and women, as a percentage, based on 1999 census data, is shown in Table 1.

Table 1

Literacy level for men and women, as a percentage, based on 1999 census data

<i>Age</i>	<i>Both sexes</i>	<i>Women</i>	<i>Men</i>
15–24 years	99.8	99.9	99.8
25–44	99.9	99.9	99.9
45 or older	98.8	98.2	99.6

Table 2

Percentage of literate women in urban and rural areas

<i>Age</i>	<i>Rural areas</i>						<i>Urban settlements</i>					
	<i>Both sexes</i>		<i>Women</i>		<i>Men</i>		<i>Both sexes</i>		<i>Women</i>		<i>Men</i>	
			<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>			<i>No.</i>	<i>%</i>	<i>No.</i>	<i>%</i>
15–24	1,182,514	99.8	561,481	99.8	621,033	99.8	1,438,925	100	739,385	99.9	699,540	99.8
25–44	1,857,051	99.8	905,810	99.8	951,241	99.8	2,641,205	99.9	1,393,337	99.9	1,247,868	99.9
45 or older	1,339,484	98.2	739,983	97.3	599,501	99.3	2,165,686	99.2	1,272,692	98.8	892,994	99.7

Health care

Improvement of the country's socio-economic conditions has resulted in the maternal mortality rate dropping to 42.1 per 100,000 live births in 2003 from 65.3 in 1999.

Infant mortality also dropped to 15.67 per 1,000 live births in 2003 from 20.36 in 1999.

The mortality rate among children under the age of 5 declined to 17.58 for girls in 2003 from 23.12 in 1999 and to 22.69 for boys from 29.61.

The birth rate rose to 16.63 per 1,000 population in 2003 from 14.57 in 1999. The natural increase in population in 2003 was 6.22 per 1,000, as opposed to 4.7 in 1999.

A number of laws were passed that were geared to protecting the health of women and children: on the medical and social rehabilitation of individuals addicted to drugs (27 May 2002), on preventing and curbing smoking (10 July 2002), on preventing iodine-deficiency disorders (14 October 2003) and on the human reproductive rights and guarantees of their implementation (16 June 2004).

Under the 8 April 2004 Republic of Kazakhstan law on the quality and safety of food products, wheat flour that is grade A or higher and is produced in the Republic of Kazakhstan is subject to mandatory fortification (enrichment) with iron and vitamins.

Violence against women

The greatest achievements are noted in the creation of mechanisms to prevent violence against women.

The number of police officers in special subdivisions created by a directive of the President of the country in the system of the Ministry of Internal Affairs in 1999 to eliminate violence against women grew 6.9-fold and amounted to 137. They are operating in all regions of the country and have demonstrated their effectiveness.

The decision of the Government on arranging the interaction among State authorities and organizations and public associations dealing with the problems of violence against women has been under implementation since 2001.

A draft law on domestic violence has been drawn up, and plans call for it to be introduced into the Republic of Kazakhstan Parliament in the second quarter of 2006 among the bills scheduled for consideration by the Government of the Republic of Kazakhstan for 2005–2007.

In 2002 and 2003, a number of laws were passed—on incorporating amendments and additions into certain enactments regarding illegal migration and in incorporating additions into the Criminal Code of the Republic of Kazakhstan—and the law on tourist activities in the Republic of Kazakhstan was amended. Those laws removed many problematic issues and play an important role in the struggle against an antisocial phenomenon such as trade in persons for purposes of sexual or other exploitation (trafficking).

Crime

In 2003, the Republic of Kazakhstan recorded 118,000 crimes, and one out of every five were committed against women. By comparison with 2002, that category of crime dropped by 6.4%, and crimes against children, by 4.5%.

Women accounted for 91% of the victims of a violent crime, and 65% were sexual assaults.

By comparison with 1999, the number of those convicted of a crime declined both among women (to 6,000 from 6,600) and among men (to 44,200 from 59,700).

2. General political structure

The political rights of citizens of the Republic of Kazakhstan and their observance by State agencies and officials are guaranteed by the Constitution and other enactments of Kazakhstan.

Under our country's Constitution (article 33), the citizens of the Republic of Kazakhstan have the right to participate in the State administration.

The Republic of Kazakhstan law on political parties that was passed in 2002 helped to elevate the role and authority of parties in the socio-political life of the society and the State, as well as encouraged their activities to create a stable electorate and to work systematically with it.

The positive trends in the development of a multiparty system for the Republic that were produced by the new law made it possible to move to a better place in the dialogue between the authorities and the political parties. To date, 12 political parties have been officially registered, and two of them are headed by women.

The Republic of Kazakhstan has created all the conditions necessary for ensuring that women can participate in State administration directly or through their representatives and on an equal footing with men, as well as can elect or be elected to State bodies and local governing bodies and participate in public referenda.

On 14 April 2004, the President of the Republic of Kazakhstan signed the Constitutional Law of the Republic of Kazakhstan on incorporating amendments and additions into the Constitutional Law of the Republic of Kazakhstan on elections in the Republic of Kazakhstan.

A number of the innovations in election law are geared to elevating the role of the parties in the election process, creating equal conditions for candidates and political parties to participate in election campaigns, and expanding the opportunities for citizens to participate in elections.

In 2002, a permanent conference was created to draft proposals on further democratization and development of civil society.

The conference played a positive role in further advancing democratic reforms. A logical extension of its work was the creation on 2 November 2004 of a National Commission on Democracy and Civil Society that reports to the President of the Republic of Kazakhstan. As a consulting and advisory body, that commission will assume the mission of drafting measures aimed at improving Kazakhstan's political system.

The nongovernmental sector is growing rapidly in Kazakhstan, and the number of registered nongovernmental organizations (NGOs) is 4,500, of which about 150 are involved in protecting the rights and legal interests of women.

After the 15 October 2003 Civil Forum, in which the President of the Republic of Kazakhstan took part, mechanisms are now being actively implemented to accommodate interaction between bodies of authority of all levels and NGOs in the interests of resolving numerous social problems. For example, in ministries and oblast akimats, councils for interaction with NGOs are being created, public hearings have begun on current problems, and NGO representatives are being invited to work on draft laws and prepare alternative reports on a number of issues.

For purposes of implementing the recommendations of CEDAW on the creation of an integrated policy and institutional approach in matters involving the achievement of equality between men and women in all spheres of life and public activity, a government resolution in November 2003 approved the Concept of Gender Policy in the Republic of Kazakhstan, which was developed with the assistance of international and nongovernmental organizations (UNIFEM, UN Gender in Development Bureau, etc.).

Its main objectives are to achieve balanced participation of women and men in management structures; provide equal opportunities for economic independence, development of one's own business, and job advancement; create conditions for the equal exercise of rights and responsibilities in the family, and ensure freedom from gender-based violence.

The Concept anticipates the introduction of gender education in the country, the gender-based evaluation of laws, the incorporation of gender indicators into budget policy, State plans and programmes, and the definition of areas for further work to improve health and to eliminate violence against women.

Thus, the country undertook a good many measures over the reporting period that involved democratization and the creation of a political structure for ensuring the rights and legal interests of women.

3. Legislative and institutional support of human rights in the Republic of Kazakhstan

The Constitution of the Republic of Kazakhstan reflects rather fully the guiding principles of the Universal Declaration of Human Rights and provides the legal and institutional bases for protecting and ensuring human rights, including those of women.

The Assembly of the Peoples of Kazakhstan is playing an enormous role to ensure human rights, serving as a mechanism for a civilized, mutually acceptable, democratic solution of any interethnic or inter-religious problem.

The National Commission on Democracy and Civil Society, which reports to the President of the Republic of Kazakhstan, was created.

CEDAW's recommendation to accelerate the creation of the office of Ombudsman was implemented. The 19 September 2002 decree of the President of the Republic of Kazakhstan founded the position of Human Rights Representative (Ombudsman), on whose staff is a gender-issues specialist. On instructions of the

head of State issued at the Fourth Forum of Women of Kazakhstan, the question of creating a special subdivision for protecting women's rights in the National Human Rights Centre is now under study.

CEDAW's recommendation that gender-issue coordinators be appointed in all government bodies was implemented.

A group of deputies called Otbasy (Family), which was created in the Kazakhstan Parliament at the legislative level for protecting the interests of the family, women and children, is working effectively and is in fact protecting the interests of the family, women and children through the passage of laws. At its initiative, parliamentary hearings have been held on health care, education and legislative support of the rights of women and children and have included nongovernmental and international organizations.

Members of the Otbasy group have drafted a law on equal rights and equal opportunities for men and women, which has already undergone evaluation by international and nongovernmental organizations. On instructions from the head of State, the Plan of Action for implementing the objectives set forth by the President of the Republic of Kazakhstan at the 7 September 2004 Fourth Forum of Women of Kazakhstan calls for submitting that draft law to the Government in the fourth quarter of 2005.

Gender analysis of legislation is being performed to determine the extent to which it supports gender equality, and international standards and norms are being implemented in national law.

In 2003, the law on the incorporation of additions into the Criminal Code of the Republic of Kazakhstan regarding trafficking in women was passed. Now the unlawful removal of people from Kazakhstan or their unlawful transit is regarded as a crime that carries a punishment of three to eight years of incarceration and the possible confiscation of property.

The 26 September 2003 decision of the Government of the Republic of Kazakhstan No. 983 created the Interdepartmental Commission for Suppressing the Unlawful Removal, Import, or Traffic in Persons, which reports to the Government of the Republic of Kazakhstan and is now in operation. Drafted and approved by the 24 February 2004 decision of the Government is the national Plan for Suppressing, Averting, and Preventing Crimes involving Trafficking in Persons. On 12 October 2004, the President of the Republic of Kazakhstan signed a decree on the signing of the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others and the Final Protocol.

A total of 38 crisis centres for women and children who have been victims of violence are operating in the country.

An effective institutional mechanism is the National Commission for Women and the Family, which reports to the President of the Republic of Kazakhstan.

The implementation of the National Plan of Action for the Improvement of the Status of Women has fostered the growth of women's potential of the Republic, the expansion of opportunities for women, and the formation of fundamentally new social-partnership relations between civil society and bodies of authority.

To date, about 85% of the plan's actions have been carried out or are in the process of being carried out.

Kazakhstan has approved the Concept for Legal Policy, on whose basis the judicial system is being improved, advocacy has expanded, the penitentiary system is being reformed, the role of nongovernmental organizations (hereinafter referred to as NGOs) in that sphere is being strengthened, and nonjudicial forms of conflict resolution are being gradually introduced.

At present, informing the public of the international mechanisms for protecting human rights and freedoms is a pressing task for Kazakhstan. Preparations are under way to ratify the international covenants on civil, political, economic, social and cultural rights.

Unresolved problems and remaining obstacles

Along with the achievements made in effecting progress in the advancement of women, there are also problems and obstacles, among which the most significant are as follows:

- society still does not understand the essence or importance of introducing gender equality;
- women are still poorly represented at the decision-making level. They make up only 8% of chief executive officers. There are no women serving as oblast or rayon *akims*;
- educational work to change the mentality of society is inadequate;
- despite something of an increase in wages, the average wage for women remains lower than that for men;
- the health index for women remains low;
- violence and sexual exploitation of women has not been eliminated.

4. Protection of human rights on the basis of international norms

Kazakhstan is a party to 66 international human rights treaties. Over the last four years, it has acceded to 11 of them.

In keeping with CEDAW's recommendations, the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women was ratified in 2001.

Also ratified in 2001 were the optional protocols to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography and the Convention on the Rights of the Child on the Involvement of Children in Armed Conflicts.

The Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour was ratified in 2002.

A significant step for Kazakhstan on the path to developing democracy and building a civil society was the signing in 2003 of the UN international covenants of 1966 on civil and political rights and on economic, social and cultural rights.

The provision of the Constitution of the Republic of Kazakhstan on the precedence that international treaties ratified by the Republic take over Republic laws remains unchanged.

5. Information distribution and promotion of human rights

The Constitution of the Republic of Kazakhstan and the Republic of Kazakhstan law on the mass media (article 2) guarantee freedom of speech and thought, prohibit censorship and secure the right of every individual to obtain information and disseminate it to any individual not prohibited under the law.

The mass media are contributing substantially to forming in the public consciousness a nonstereotypical image of today's woman as a full-fledged, active participant in all the country's political and socio-economic processes.

Actively working in that area is the Republic's largest TV channel, Khabar. Information-analysis programmes ("[illegible]", "[illegible]", "[illegible]", "[illegible]", "[illegible]", "Better to be Healthy", "Dilemma", "Process", and "City of the Future") are discussing the topics "Men and Women—The Law" and "Safe Motherhood" and are airing broadcasts titled "Men and Women—The Law", "Safe Motherhood", "Why Papa is Needed", "The Eastern Family", "Feminism", "The Law on Domestic Violence", "Women Serving in the Army", "Women in Parliament", "Women's Health", "The Social Status of Women in the Home", "The Equal Rights of Women in the Family", "Women's Rights in Today's Society", "The Percentage of Women in State Service", "Business Women of Kazakhstan", and others.

The national TV channel Kazakhstan is also actively airing discussions of the topic of gender equality on the news and information-analysis programmes "[illegible]", "[illegible]", "[illegible]", "[illegible]", "[illegible]", and others. The programmes "[illegible]", "[illegible]", "[illegible]", "[illegible]", "Gender and us", "Dialogue", and "Kazakh Radio 'Point of View'" are making a big contribution to promoting the nonacceptability of all forms of discrimination against women.

Women's topics are among the most popular, numerous topics on the pages of the Republic's mass media.

In addition, special magazines devoted to the problems of motherhood and the significance of the institution of the family and the mother in the moral education of youth are operating in the information realm of the Republic. It should also be noted that those publications are contracted by the State to promote State information policy at the Republic level.

The press is devoting a great deal of attention to the participation of women in the socio-political life of the country, stressing the stabilizing role of women in the processes that are taking place in the society.

The participation of women in the nongovernmental sector is one of many topics in the mass media, and the press is stressing and singling out women's NGOs primarily.

The primary mechanism for interaction between the State and the mass media is the system of State contractual awards, access to which all functioning mass media of the country have, regardless of the form of ownership. The essence of State contractual awards consists in the fact that the government and regional executive bodies are funding the mass media's treatment of socially significant topics that are the most important to society. Nationwide and regional mass media obtain the right to treat such topics under a government award in open competitions.

In 2004, for example, a social contract award was obtained by 33 newspapers, 26 magazines, one Republic-level information agency, and 36 central and regional

television and radio companies. It must be noted that 80% of the newspapers, magazines and radio and television channels are non-governmental.

Single-minded work is under way to raise the public's awareness of women's rights. In 2004, coverage of the State's gender policy was included as a separate line in the State contractual award subject list.

The National Commission, together with the UN Gender in Development Bureau, is doing work to train gender-sensitive journalists. About 150 journalists from the electronic and print mass media have been trained in the last two years.

An annual statistical digest called "Women and Men of Kazakhstan", in which the number of gender indices has been growing from year to year, has been published since 1999 to provide a graphic portrayal of the actual status of women in all spheres of life of the society.

Thus, a number of measures have been undertaken to eliminate problems noted by CEDAW in overcoming traditional stereotypical notions about the role of men and women.

6. Socio-economic development

The economic upturn has helped to strengthen the socio-economic rights of the citizenry, reduce poverty and boost employment, raise the level of income of the people and increase wages and pensions.

The gross domestic product of the Republic in 2003 rose by 9.2% over that of 2002. The growth recorded was 8.8% in industry; 9.3% in construction, and 1.4% in agriculture, and the volume of shipments rose by 9.8% over those of 2002. Communication services grew by 25.8%.

The steady economic expansion has been maintained by a low level of inflation, the stability of the monetary and tax-and-budget systems, and a situation on the world commodity markets that is favourable to Kazakhstan, as well as the stable political situation in the Republic, the expansion of entrepreneurship, the rise in domestic demand, and the favourable investment climate.

The high growth rate seen in industry was due to an 8.8% growth in the mining industry over the 2002 indicators, an 8.9% growth in manufacturing, and a 7.1% growth in the production and distribution of electricity, gas, and water.

In 2003, farm production grew in terms of both crops and livestock. Overall, the Republic harvested 14.8 tonnes of grain (post-processing weight). In all categories of farms, the number of head of all types of livestock, as well as the number of fowl, was higher than in 2002.

The continuing trend of a steady growth in the country's economy is having a positive effect on foreign and domestic trade indicators. Retail sales grew by 10% in 2003.

The primary goal of monetary policy for 2003—to keep average annual inflation within the range of 4–6%—was met: the average level of inflation for the year was 6.4%, which conforms with the forecast of the Indicative Plan for Social and Economic Development of Kazakhstan up to 2005.

In 2003, a policy was pursued whose aim was to ensure the stability of the financial market, the further development of the insurance market and the securities market, and the strengthening of the banking system and accessibility to financial

resources for enterprises of the real sector of the economy, as well as the improvement of the capital-accumulation pension system.

Macroeconomic stabilization and the expansion of the financial system increased the credit resources of commercial banks in long-term investments geared to technology upgrades for enterprises and the creation of new, competitive production operations. The increase in those indicators was steady. The largest percentage of the total volume of loans was concentrated in industry, trade, and agriculture.

The upturn in the economy made it possible to increase spending for social needs, and that clearly fostered the fuller exercise of the rights of the country's women and men. The basic standard of living indicators for the public are given in Table 3.

Table 3
Basic standard of living indicators for the public

	1999	2000	2001	2002	2003
Real change in GDP, as percentage of preceding year	102.7	109.8	113.5	109.8	109.2
Unemployment level	13.5	12.8	10.4	9.3	8.8
Percentage of population with incomes below subsystem level	34.5	31.8	28.4	24.2	19.8
Percentage of population with incomes below the consumer basket	14.5	11.7	11.7	8.9	6.3
Depth of poverty ¹	13.7	10.3	7.8	6.1	4.6
Acuteness of poverty ²	5.5	4.0	3.1	2.2	1.6
Gini coefficient for quintile groups ³	0.340	0.343	0.348	0.312	0.300
Assets ratio (income of 10% of the rich versus 10% of the poor) ⁴	11.0	11.9	11.3	9.8	8.9

¹ Depth of poverty is a poverty indicator that shows the average deviation of the level of income of members of the target households from the established criterion (subsistence level, food poverty line, and official poverty line).

² Acuteness of poverty is a poverty indicator that serves to provide a fuller description of the depth of poverty. It shows the average of the squares of the deviations of the share accounted for by the deficit of incomes of members of the target households from the established criterion and the extent of the spread of incomes of the poor.

³ The Gini coefficient (coefficient of income concentration) makes it possible to numerically assess the degree of inequality. It establishes the extent of the deviation of actual distribution of incomes among numerically equal groups of the population from the line for their even distribution.

⁴ Assets ratio measures the relationship among the average incomes of comparable groups of the population within a distribution series for the tenth and first decile groups.

A special section titled "Participation of women in development" appeared for the first time in Kazakhstan's history in the Indicative Plan for Social and Economic Development for 2001–2003. The gender indicators are also included in the Strategic Plan of Development of Kazakhstan up to 2010. On instructions issued by

the head of State at the Fourth Forum of Women of Kazakhstan, the Strategy for Gender Equality in the Republic of Kazakhstan for 2005–2014 is being developed.

Programmes in place and under development that are geared to improving the well-being of the population, including women

The Programme for Reducing Poverty in the Republic of Kazakhstan in 2003–2005, which was approved by the 26 March 2003 decision of the Government, calls for a number of measures to provide socio-economic protection of the citizens, including women.

Implementation of the programme is expected to reduce unemployment to 8.1%, the percentage of the population with incomes below the subsistence level to 20% in 2005, and the percentage of the population living below the poverty line by half. The objective of reducing the percentage of the population with incomes below the subsistence level was achieved in 2003 (at 19.8%). The question of raising the threshold for the poverty line is now under review.

The provisions of the World Summit's Declaration on Social Development, the United Nations Decade for the Eradication of Poverty, adopted in March 1995 in Copenhagen, have been taken into account, as have the International Labour Organization conventions on labour, employment, and gender equality.

Under implementation is the Programme of State Support of Nongovernmental Organizations of the Republic of Kazakhstan for 2003–2005, which is geared to creating the conditions necessary for the stable development of nongovernmental organizations, including women's nongovernmental organizations, and strengthening their role in solving socially significant problems of society on the basis of interaction with and support from State authorities.

In 2003, the head of State approved the basic programme documents defining the priority directions for the country's economic policy in the medium term:

- Strategy for Industrial and Innovation Development of the Country for 2003–2015;
- State Programme for Developing the Kazakhstan Sector of the Caspian Sea;
- State Programme for Developing Rural Areas for 2004–2010.

The last programme, along with the earlier adopted State Agricultural Food Programme for 2003–2005, formed the basis for the socio-economic transformation of villages.

Thanks to the Strategy for Industrial and Innovation Development of the Country for 2003–2015, measures will be implemented that are aimed at improving the business climate, creating the conditions necessary for developing a multitiered innovation system (technoparks, technology business-incubators, research parks) in the Republic and ensuring efficient investment of resources in the priority sectors of the economy.

The State Programme for Housing Construction in the Republic of Kazakhstan for 2005–2007 has been adopted to provide housing for broad segments of the population. The 2004 Republic budget provided 18.86 billion tenge for its implementation. In all, to implement the new housing policy, nearly 400 billion tenge are to be invested in housing construction in 2005–2007, including nearly

150 billion tenge from the State budget, a large part of which is to be reimbursed, to support the State Programme for Developing Housing Construction.

In December 2003, the Programme for Developing Small Cities for 2004–2006 was adopted. It calls for the creation of the requisite conditions for the stable socio-economic development of small cities, in combination with State support of cities with a depressed economy.

All those programmes are supported by budget resources, which makes it possible to pursue a policy that ensures the solution of the strategic problems identified in the Strategy for the Development of Kazakhstan up to 2030.

Thus, today we have not only the strategic programme documents, but also the tools to implement them in the medium term.

The positive growth of the economy has created the conditions favourable for further enhancement of the well-being of the entire populace, including women.

In keeping with the United Nations Millennium Declaration, which was signed by Kazakhstan, the key goals of development that are building a road to peace without the misery and deprivation associated with poverty have been identified.

The Programme for Further Expansion of Social Reforms in the Republic of Kazakhstan for 2005–2007 calls for steps to further improve the system of social security and to formulate a new social policy in general. That programme calls for the introduction of benefits for caring for children under one year of age and benefits to children under 18 from indigent families.

The State Programme for the Development of Education in the Republic of Kazakhstan for 2005–2010 provides for restoring the system of kindergartens and for setting up full-fledged pre-school education; enlarging the State contractual awards system for training teachers; strengthening the material and technical base of the schools; developing the network of boarding schools for children with developmental disabilities; finishing the introduction in the Republic of independent outside testing in the form of standardized national testing of those graduating from school, as well as intermediate certification of higher education students; and, among other things, development of the network of institutions for providing vocational training to youth, primarily with the involvement of the private sector.

The State Programme for the Reform and Development of Health Care in the Republic of Kazakhstan for 2005–2010, which was adopted by the 13 September 2004 decree of the President of the Republic of Kazakhstan, calls for, in keeping with WHO recommendations, free pharmaceutical support at the outpatient level for children under 5 for certain types of diseases, for children and adolescents registered for medical care with a health centre, and for pregnant women in need of iron- and iodine-containing preparations; it also calls for preventive medical examinations of women of child-bearing age and children under 18. In addition, perinatal (pre-delivery) diagnostics and preventive measures for hereditary and congenital diseases in children are to be improved.

Kazakhstan is working closely with many international organizations. In 2003, for example, the Government of the Republic of Kazakhstan and the Asian Development Bank signed the Poverty Partnership Agreement. The agreement is based on the data of the Programme for Reducing Poverty in the Republic of Kazakhstan in 2003–2005.

The agreement is geared to achieve the UN Millennium Development Goals as they apply to Kazakhstan.

In keeping with the provisions of the agreement, the percentage represented by the poor is to be reduced from the 28.4% recorded in 2001 to 7% by 2015. The agreement also defines a number of other objectives such as reducing infant and maternal mortality rates, stopping the spread of tuberculosis and HIV/AIDS, ensuring access to drinking water and other addressing other problems that need to be solved before 2015.

Part II. Information on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women

Article 1. Definition of discrimination against women

According to the Convention, the term "discrimination against women" means any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.

There is no concept of "discrimination against women" in prevailing national law. But according to article 4 of the Constitution of the Republic of Kazakhstan, all international agreements ratified by the Republic of Kazakhstan become a part of prevailing law and are subject to mandatory enforcement.

Since Kazakhstan has acceded to the UN Convention on the Elimination of All Forms of Discrimination against Women, the concept of "discrimination" given in article 1 of that Convention can be used in judicial practice.

The word "discrimination" itself is widely used in the texts of the Constitution, laws, and regulations. Its interpretation, essentially, corresponds to the definition of the term in the Convention.

In keeping with the CEDAW recommendation, the definition of the term "discrimination" is incorporated into the draft law on equal rights and equal opportunities for men and women as follows: "discrimination is any distinction, exclusion or restriction of human rights and fundamental freedoms made on the basis of sex."

Article 2. Obligations to eliminate discrimination

States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and, to this end, undertake:

(a) to embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realization of this principle

Under article 14 of the Constitution of the Republic of Kazakhstan, "no one may be subjected to any kind of discrimination for reasons of ancestry, social status,

job-related status, property-related status, sex, race, nationality, language, religion, creed, place of residence, or any other circumstance."

This standard guarantees women opportunities equal to those of men in terms of education and professional training and in socio-political, cultural and all other spheres of activity.

It is also incorporated in the Constitutional law on elections in the Republic of Kazakhstan; the laws on marriage and the family, on protection of the health of citizens, on education, on labour in the Republic of Kazakhstan, and on State service; the Criminal and Criminal Procedures codes; the Administrative Violations Code; and other legal and regulatory acts that govern the sphere of societal relations.

(b) to adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women

Kazakhstan is a secular State, and any discrimination against women based on sex is prohibited.

There are no standards in the law that give a man the right to punish his wife, and there never have been. Administrative and criminal liability are specified in such cases.

Criminal liability (articles 120, 121 and 123 of the Criminal Code) is specified for rape, forced sex, and other violent acts of a sexual nature.

The standards of prevailing law that involve protecting women against violence are applied for all crime victims, including women who are engaged in prostitution. The law makes no distinctions of any kind based on social or other criteria.

A State labour inspectorate has been created to monitor compliance with labour-relations law. Administrative liability (articles 87 and 148 of the Administrative Violations Code) and criminal liability (articles 148 and 152 of the Criminal Code) are specified for violations of the standards of labour law.

Criminal investigations and matters involving the social protection of women are under the permanent control of the prosecutor's office.

To strengthen State monitoring of compliance with labour and labour protection laws, the 28 December 2000 decision of the Government of the Republic of Kazakhstan No. 1920 created a vertical structure for the State labour inspectorate of the Ministry of Labour and Social Protection of the Republic of Kazakhstan on 1 January 2001 in all oblasts and the cities of Astana and Almaty.

(c) to establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination

Women have a status in Kazakhstan's legal system that is equal to that of men. They can file actions in the court on their own behalf and represent the interests of other parties in the court, that is, be plaintiffs and defendants.

Under part 2 of article 14 of the Criminal Code, persons who have committed a crime are equal under the law, regardless of ancestry, social status, job-related status, property-related status, sex or any other circumstance. This standard of the

law is constitutional, because it is based on part 1 of article 14 of the Constitution of the Republic of Kazakhstan.

The office of the Human Rights Representative [Ombudsman] performs functions that involve advancing and protecting women's rights by dint of the fact that one of the six priority areas of its activities is protection of women's rights.

According to paragraph 2 of the statute on the Human Rights Representative, which was approved by the 19 September 2002 decree of the President, the Ombudsman in its operations supplements the existing State protections for human and civil rights and freedoms. The Ombudsman reviews requests filed by Republic of Kazakhstan citizens, as well as foreign citizens and stateless persons, for actions and decisions against officials and organizations that have violated their rights and freedoms guaranteed by the Constitution, enactments, and international treaties of the Republic of Kazakhstan (paragraph 17 of the statute).

Also within the purview of the Ombudsman is human rights monitoring. For those purposes, compliance with the standards of the CEDAW Convention is monitored in the OV-156/21 correctional facility (women's penal colony in Eastern Kazakhstan Oblast) and the AK-159/9 facility (women's penal colony in Koksun, in Karaganda Oblast).

In a visit to the women's colonies, the Ombudsman noted that the prison conditions in those facilities met the minimum standards for the treatment of prisoners. As a high point, the Ombudsman noted the interest displayed by the facility administration in increasing the inmates' awareness regarding the protection of their rights. A public reception centre called "Accessible Justice" is operating in the Karaganda Oblast colony.

The Karaganda branch of the Kazakhstan International Bureau for Human Rights and the Rule of Law has trained six inmates in a programme called "Yurist maksimum" [The Best Attorney], and they are helping other inmates to file supervisory appeals and pardon requests, as well as providing consultation on matters of civil rights, family rights (deprivation of parental rights), and housing rights (drafting of contracts).

(d) to refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation

Oversight authorities have not found instances of citizens entering the employ of the State being discriminated against for reasons involving any direct or indirect restrictions based on sex, race, nationality, language, ancestry, property-related status, place of residence, religion, creed, or affiliation with public associations.

Particular attention is being devoted to gender-equality training for all State employees.

(e) to take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise

Criminal law stipulates punishment for violation of the equal rights of citizens for reasons of sex (article 141 of the Criminal Code). In the Criminal Code, that act is punished by a large fine, seizure or incarceration.

In three years, a total of three criminal cases have been initiated under article 141 of the Criminal Code (two in 2002, and one in 2003).

Article 54 of the Criminal Code regards crimes committed against pregnant women as aggravating circumstances in terms of criminal liability and punishment. Article 62 of the Administrative Violations Code also regards such a circumstance as aggravating.

Those codes regard the commission of a crime by a pregnant woman or a woman with small children as a mitigating circumstance.

Under article 148 of the Criminal Code, an individual who, without grounds, refuses to hire a woman or dismisses her for reasons of pregnancy or who, without grounds, refuses to hire a woman with children under the age of 3 or, without grounds, dismisses her is subject to a fine amounting to 200–500 times monthly accounting index or amounting to the wages or other income of the convicted party for a period of two to five months, or loss of the right to hold certain positions for up to five years, or correctional labour for up to two years.

Individuals who feel they have been discriminated against in the workplace can file a relevant petition with the court.

(f) to take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women

Laws, as well as a whole array of decisions and regulations on social questions, employment and the struggle against violence against women, have been passed (see the annex).

(g) to repeal all national penal provisions which constitute discrimination against women

For these purposes, gender analysis of the Criminal and Criminal Procedures codes has been performed. As a result, amendments and additions that stiffen the penalties for rape and other violent acts against women have been incorporated into them. An article classifying rape as a matter in which criminal procedures must be initiated by the aggrieved party has been deleted from the Criminal Code. Henceforth, court proceedings are held regardless of whether a complaint or petition has been filed, and they may not be terminated because of reconciliation of the parties. Stiffer penalties have also been instituted for other violent acts against women.

Steps to prevent or avert crimes against women are specified in the Programme to Prevent Violations of the Law and Combat Crime in the Republic of Kazakhstan for 2003 and 2004, which was approved by the 29 December 2002 decision of the Government of the Republic of Kazakhstan.

At the same time, we see that gender analysis of the law must be performed in a more systematic and integrated fashion. Today, it is being done only at the initiative of the National Commission and certain nongovernmental organizations. The question of introducing standards regarding the binding nature of gender analysis is being resolved.

Article 3. Development and advancement of women

States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.

CEDAW recommendations for the advancement of women through the creation of special programmes are being followed.

In keeping with paragraph 4 of article 33 of the Constitution of the Republic of Kazakhstan, the requirements for candidates for State employee positions are tied only to the nature of the position's duties and are established by law.

A steady trend of increasing numbers of women in State service is being observed.

As of 1 January 2004, women constituted 47,813 (58.5%) of a total number of State employees of 81,702. They accounted for 56.7% in 2002, 55.2% in 2001, and 54% in 2000.

Among State policy-making employees, women account for 11.1%; in 2000, they accounted for 8.8%.

In 2003, a total of 41,173 women competed to fill vacancies, and they accounted for 56.8% of the total number of applicants.

Of those who got the jobs, 55.3% were women.

In addition, on the instructions of the President of the country, a pool of women executives was created in ministries and departments, as well as in oblast executive bodies, for advancing women to decision-making levels.

It is, however, still too early to speak of genuine equality of women in the structures of power, especially in its higher echelons. Women today constitute only 11.1% of the total number of managers at the decision-making level. Only seven women work as deputies of oblast *akims*, and there are few women among rayon or city managers.

To enhance the leadership qualities of women and adapt to today's conditions, more than 12,000 conferences, training sessions, and seminars involving nearly 500,000 women were held in 2001–2003:

on the political advancement of women – 1,219 events involving 64,540 individuals;

on economic advancement – 1,802 events, 70,838 individuals;

on protection of women's health – 3,736 events, 154,766 individuals;

on protection of women against violence – 2,386 events, 89,634 individuals;

on other matters – 2,979 events, 118,106 individuals.

Article 4. Acceleration of the achievement of equality between men and women

Adoption by States Parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination as defined in the present Convention, but shall in no way entail as a consequence the maintenance of unequal or separate standards; these measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved.

Adoption by States Parties of special measures, including those measures contained in the present Convention, aimed at protecting maternity shall not be considered discriminatory.

Kazakhstan has adopted a good many special measures aimed at accelerating *de facto* equality between men and women, particularly for protecting maternity.

The Republic of Kazakhstan law on labour safety and protection (article 15) prohibits the use of women for jobs involving heavy physical labour or jobs with harmful (extremely harmful) or hazardous (extremely hazardous) working conditions. A list has been approved of workplaces and trades involving heavy physical labour and harmful (extremely harmful) or hazardous (extremely hazardous) working conditions for which the use of women or of individuals under the age of 18 is prohibited.

Women may be hired for jobs with harmful and hazardous working conditions only after a preliminary medical examination and a determination that the women have no health contraindications and in conformance with the requirements set by legal and regulatory acts of the authorized health-care agency.

Pregnant women, depending on medical findings, are transferred to a different job that precludes adverse production factors, but keeps the same average monthly wage.

Young women who have been forced to interrupt their studies because of pregnancy or child care are given academic leave, at the end of which they may continue their studies.

Under the law on pension support in the Republic of Kazakhstan, women are given pensions five years earlier than men. Women who have given birth to five or more children and have raised them to the age of 8 are given the right to retire at the age of 53. Previously, only women who lived in rural areas had that right.

The question of women receiving pensions comparable to those of men is now under study.

Unlike men, women may not receive the death penalty or life imprisonment. In addition, lighter penalties for the commission of crimes are in place for certain categories of women.

Temporary measures involving affirmative discrimination have been adopted for businesswomen. In 2002, for example, citing the CEDAW Convention item in the Republic budget, the Government adopted a special programme titled "Support of Women's Businesses", which was allocated 150 million tenge for concessional loans to women. That programme demonstrated that women are necessary partners. As a result, the Memorandum on Further Cooperation between the National

Commission for Women and the Family and the Closed Joint-Stock Company Small Business Development Fund has been signed. Over the last year and a half, 109 projects involving businesswomen have received 650 million tenge of financing.

In sentencing convicted pregnant women and convicted women with a child under 14, the court may postpone the serving of the sentence for up to one year or until the child reaches the age of 14, with the exception of women sentenced to incarceration for more than five years for serious or especially serious crimes against persons.

The draft law on equal rights and equal opportunities for women and men includes articles that oblige employers to implement special programmes to eliminate the labour-remuneration gap between women and men by means of equalizing their job training and eliminating unskilled, low-paying jobs. Employers are also obliged to create working conditions that make it possible to combine work and family duties (introduction of flexitime, exemption from overtime, establishment of part-time work, and performance of advanced training during working hours).

And most important, the employer is subject to administrative liability for failing to comply with, or improperly complying with, equal-rights and equal-opportunity law.

Article 5. Gender roles and stereotypes

States Parties shall take all appropriate measures:

(a) to modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women;

A great deal of work is being done in institutions of learning to educate children and youth on the basis of principles of gender equality.

A student training aid called "Introduction to the theory of gender" is being used in the system of higher education to introduce gender perspectives.

A number of gender-related subjects—Gender, Anthology of Gender Research, and Sociology of Gender—have been taught since 2002 at the Kazakh State Women's Pedagogical Institute and other of the Republic's institutions of higher education.

This school year, 10 hourlong elective classes under the rubric of Gender Problems and Objectives of Internal Affairs Agencies have been incorporated into the curricula of colleges subordinate to the Ministry of Internal Affairs of the Republic of Kazakhstan.

To strengthen the moral bases of education and protect the reproductive health of the rising generation, the 21 November 2001 decision of the Government of the Republic of Kazakhstan approved the Concept of Moral and Sex Education in the Republic of Kazakhstan.

The Republic's public libraries are widely publicizing the UN Convention on the Elimination of All Forms of Discrimination against Women and other acts of the UN General Assembly.

The mass media are doing a great deal of work to eliminate sexual stereotypes and to promote gender equality.

(b) to ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, it being understood that the interest of the children is the primordial consideration in all cases.

In keeping with para. 2 of article 27 of the Constitution, the care of children and their upbringing are the natural right and responsibility of the parents.

According to article 1 of the law on marriage and the family, the role of men and women in the family is based on the principle of their having equal rights in family relations and on the mutual love and respect and mutual help and responsibility to the family of all its members.

Marriage and the family, in keeping with article 1 of the law on marriage and the family presumes an equitable union between a man and a woman. The law does not give either of the spouses priority.

Under article 60 of the law on marriage and the family, responsibility for caring for the children is borne equally by both parents. All questions of the upbringing and education of the children are resolved by the parents on the basis of mutual consent, with the interests of the children in mind and allowance made for their opinions.

The law on marriage and the family establishes equal rights and responsibilities for the parents with regard to their children (article 60). In addition, extra leave without pay to care for a child may also be used entirely or in parts by the father of the child, the grandmother, the grandfather or other relatives who actually take care of the child, provided that the employer agrees to the leave.

In the event of a divorce, the responsibilities in terms of raising the children are established by agreement, provided there is no dispute or differences between the parents. The capabilities of the parent with whom the child remains after the divorce—financial condition, occupation, working conditions—are taken into account. The relationship between the child and the parent, how close they are to each other, is taken into account, as are the feelings of a child who has reached the age of 10.

If the parents cannot reach agreement on raising the child after the divorce, the dispute is settled in court. A judge who determines that the parents or the person whom the child is with will not provide the proper care places the child in the custody of a guardianship agency.

The specific nature of criminally punishable acts and the measures of criminal liability for crimes against persons, including the sexual assault of children and injury to health, are specified in the Criminal Code.

A number of laws have been passed over the last three or four years that considerably expand children's rights and ensure their exercise: on the rights of the

child in the Republic of Kazakhstan, of 8 August 2002; on family-type children's villages and young people's homes, of 13 December 2000; on social, medical and special pedagogical support for children with disabilities, of 11 July 2002; and others.

Article 6. Exploitation of women

States Parties shall take all appropriate measures, including legislation, to suppress all forms of trafficking in women and exploitation of prostitution of women.

It can be noted with satisfaction that many CEDAW recommendations to prevent violence and trafficking in women are being followed.

The law that was in place prior to 2000 has been brought into conformance with international standards of law in that the liability of persons for committing criminally punishable acts against women has been boosted. The Republic of Kazakhstan law on incorporating amendments and additions into certain enactments of the Republic of Kazakhstan is introducing amendments that raise the upper limit of the sanctions of certain articles of the Criminal Code that define the liability for sexual crimes, specifically crimes against minors. The grounds for boosting the liability consist in the fact that the target of a crime of intrusion with the essential elements given is the sexual freedom or the sexual inviolability of the person, and the victims of such crimes are always, or in the overwhelming majority of cases, females or minors.

A law on domestic violence has been drafted. It defines the concept of "domestic violence", to include physical, psychological and sexual violence. The draft law defines the set of persons subject to protection against domestic violence and the set of organizations that must provide assistance to the victims. It also introduces protective orders into judicial practice with an eye to further suppressing the violence.

The draft law has been debated in virtually all regions of the country and has been included among the bills scheduled for consideration by the Government for 2006.

Under article 6 of the Republic of Kazakhstan law on advertising, advertising cannot be used to advocate or glorify the cult of cruelty and violence or pornography.

Considerable success in the implementation of CEDAW recommendations has been achieved in terms of the creation of crisis centres to suppress violence against women. The number of such centres increased to 38 in 2003 from 2 in 2000. Crisis centres are in place in virtually all oblasts. A great many of them were created by nongovernmental organizations and are being maintained with international grants. In keeping with the National Plan of Action for the Improvement of the Status of Women up to 2010, crisis centres are slated to be opened in all rayon centres and cities of the country.

More than 27,000 calls have come in to the crisis centre hotlines. Most of the calls have involved physical violence (23%) or psychological violence (22%). All who have called have received guidance counselling, and more than half of them have received assistance from psychologists and attorneys.

If there is violence in the family, a woman can turn to a special police division for protecting women against violence that has been operating since 1999, as well as to existing crisis centres.

Over the past five years, 3,329 individuals have been convicted of rape in Kazakhstan: 624 in 1999; 803 in 2000; 631 in 2001; 650 in 2002; and 621 in 2003.

Republic of Kazakhstan law contains a number of standards that specify the liability for such acts as the activities of organized crime or individuals in the trafficking of persons or in the provision of job-finding services abroad that entails fraud and exploitation, including sexual exploitation.

Criminally punishable are abduction (art. 125 of Criminal Code), illegal confinement (art. 126), trafficking in minors (art. 133), and premeditated illegal crossing of the State border of Republic of Kazakhstan (art. 330).

If the unlawful departure and illegal migration of persons are intended for their further sexual or other exploitation, the persons responsible for that activity are subject to criminal liability for recruiting people to exploit them, as well as for knowingly smuggling persons from Kazakhstan or transporting them across the Republic of Kazakhstan from one foreign state to another for purposes of exploiting them sexually or otherwise (art. 128, Criminal Code).

According to statistics, 15 persons were convicted in 2003 under art. 125 of the Criminal Code for committing the above crimes, as were 27 persons under art. 126, and eight persons under art. 133, for trafficking in minors.

Virtually unstudied was the problem of the smuggling of women for purposes of their subsequent labour and sexual exploitation (trafficking in women).

The National Commission, together with the International Organization for Migration, has held several international conferences on that matter. Specific recommendations have been adopted to improve national law for protecting victims of trafficking inside and outside the country, assisting them in repatriation, and re-integrating them into society.

For the first time ever, the National Commission has brought the Supreme Court into the matter of violence against women. Specific joint recommendations have been adopted to improve judicial practices in such matters.

In terms of the illegal recruitment of persons for sexual or other exploitation (trafficking), eight crimes were recorded in 1999; three in 2000; five in 2001; none in 2002; four in 2003; and four in the first five months of 2004.

Under the Republic of Kazakhstan law on compulsory tour-operator and travel-agent civil-liability insurance (December 2003), compulsory civil-liability insurance is being introduced in the Republic for tourism organizations that provide tourism services. According to the law, tour operators and travel agents are obliged to take precautionary measures that ensure the safety of the tourists.

The laws indicated will certainly play an important role in suppressing such an antisocial phenomenon as trafficking.

Preparations are under way for Kazakhstan to accede to the Convention for the Suppression of the Traffic in Persons and the Exploitation of the Prostitution of Others.

Implemented in 2001 and 2002 was the IOM Information Campaign to Prevent Trafficking in Women, in which the National Commission served as the national coordinator.

Nineteen nongovernmental organizations that had set up hotlines in all the Republic's oblasts took part in the campaign.

The campaign was extremely beneficial, because all the girls and young women said that, after receiving counselling and explanations, they abandoned the idea of going abroad to find work.

A second joint project with IOM, Combating Trafficking in Persons from, into, across, and inside Kazakhstan, was implemented. It helped to further improve national law, provide assistance to trafficking victims, and to train law-enforcement agencies how to combat trafficking on the basis of the experience of the world community.

In 2001–2003, the Regional UNIFEM project known as Eradication of Violence against Women in Central Asia strengthened the capabilities of State agencies and nongovernmental organizations to implement various strategies in the eradication of gender violence. A massive regional information campaign called Life without Violence: It's Our Right was conducted with UNIFEM, and nine countries of the CIS and the Baltic states took part. Throughout the country, roundtables, seminars, and training sessions were held for State employees, students, and teachers. More than 500 articles were published, and more than 1,000 television and radio broadcasts were arranged on the problems of violence against women.

The Criminal Code stipulates liability for the unlawful dissemination of pornographic materials or objects (art. 274). In 2003, two individuals were convicted under that article.

The Code also specifies liability for the unlawful dissemination of works that glorify cruelty and violence (art. 274). No persons were convicted under that article in 2003.

Systematic work is under way to prevent the dissemination of cinematic and print materials that sow violence and pornography. Incorporated in the Republic of Kazakhstan law on the mass media is a special article 14, which governs the sale of printed matter with erotic content and prohibits the airing of pornographic broadcasts.

Officially, prostitution in Kazakhstan is not legalized, but there is no penalty for it in the law. At the same time, criminal law defines the penalty for recruiting people into prostitution (art. 270) and establishing or maintaining premises for prostitution (art. 271).

Article 7. Political and public life

States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right:

(a) to vote in all elections and public referenda and to be eligible for election to all publicly elected bodies

In 2004, the Republic of Kazakhstan Constitutional law on incorporating amendments and additions into the Republic of Kazakhstan Constitutional law on elections in the Republic of Kazakhstan was passed. Among the most significant of the new insertions in the law is the new principle for forming election commissions. They will now be formed not by local executive bodies, but will be elected by *maslikhats* based on the representation of the political parties. Each political party is entitled to send one candidate to each election commission. A political party may nominate individuals who are not members of the party.

The new law also expanded considerably the rights of observers and increased the responsibility of all those participating in the election campaign in all stages of the election process. This pertains especially to voting and vote-counting.

The law on elections ensures compliance with the fundamental principles of the democratic right to vote:

- assurance of freedom of expression of one's will and assurance of the constitutional rights of citizens;
- universal, equal and direct suffrage with a secret ballot;
- no one has the right to force a citizen to participate or not participate in elections or to restrict the citizen's expression of will;
- assurance that the electorate will be informed promptly of the progress and results of the elections;
- inadmissibility of interference in electoral processes by State agencies.

To implement the CEDAW recommendations that the number of women in representative bodies of authority be increased, the National Commission, together with international and nongovernmental organizations, is doing a great deal of work to enhance leadership skills among women. As a result, the number of women candidates for deputy to both the *maslikhats* and the *Majlis* [lower chamber] of the Parliament of the Republic of Kazakhstan has increased. For example, in the last parliamentary elections, the number of women registered on the party lists rose 1.7-fold; for single-mandate districts, 1.5-fold; and for *maslikhats*, 1.2-fold.

A total of 1,393 women were candidates for deputy to the *maslikhats* in 1999 (18.7%), and 1,619 ran in 2003 (19.8%).

Among those elected to local representative bodies of authority in 1999, a total of 639 (19.2%) were women; in 2003, the figure was 568 (17.1%).

The regularly scheduled elections of deputies to the *Majlis* took place on 19 September 2004.

Twenty-four women were registered on party lists as candidates for deputy, and 105, for single-mandate electoral districts, which constitute 25.4% and 16.9% of the total number of candidates for deputy to the *Majlis*. The number of women elected as deputies, however, remained at the same level as in previous elections—eight. It must be noted that of the seven *Majlis* committees, two are headed by women. In the preceding convocation, only one woman headed a committee.

At present, the Central Elections Commission is preparing a large amount of printed subject matter aimed at creating a standardized permanent system of legal

training of citizens and expanding the public activities of women and men and their civil responsibility.

(b) to participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government

See article 3.

(c) to participate in non-governmental organizations and associations concerned with the public and political life of the country

In 2000, the head of State in his annual message to the people of Kazakhstan noted the large role played by nongovernmental organizations in the public and political life of the country. He said that they needed serious State support, specifically, through the system of grants for the implementation of socially significant projects.

State authorities are now collaborating more actively with nongovernmental organizations and public associations, which are being enlisted to prepare draft laws and State programmes.

The National Commission for Women and the Family, which reports to the President of the Republic of Kazakhstan, is also working actively in that area. It includes four representatives of NGOs. A total of 150 women's NGOs are operating in the country.

At the initiative of the National Commission, women's NGOs took part in the Forums of Women Entrepreneurs in Geneva, the Jubilee 50th World Association of Women Entrepreneurs World Congress in St. Petersburg and the Third World Congress of Rural Women in Madrid.

The Association of Women Entrepreneurs of Kazakhstan has become a member of the World Association of Women Entrepreneurs and is part of the organizing committee for preparing for the next World Congress of Rural Women.

All the work being done by the National Commission and its local chapters, together with nongovernmental organizations, is being widely covered in the mass media. A documentary film titled "Women of the 21st Century" has been released. An electronic network that connects the National Commission with its regional chapters and nongovernmental organizations is in operation.

Evidence of the high regard in which the State holds the work of NGOs is the award given, upon the advice of the National Commission and for the first time in the modern history of our country, to 37 of the most active leaders of nongovernmental organizations—the Jubilee Medal for the 10th Anniversary of Kazakhstan Independence.

The political and institutional bases have been created and are now being expanded for the activities of nongovernmental organizations in Kazakhstan.

The Civil Code established organizational and legal forms of activity for nongovernmental organizations as public associations, funds, non-State non-profit institutions and corporate alliances.

The laws on public associations and on non-profit organizations that have been passed have defined their legal status, their rights and responsibilities, and the

procedures for their establishment, their reorganization and the termination of their operations.

The conditions for registration of youth nongovernmental organizations have been relaxed, as a result of which the registration fee dropped 10-fold to an amount that is twice the monthly accounting index (1,838 tenge).

An important event in the nongovernmental sector is the adoption of the Concept for State Support of Nongovernmental Organizations of the Republic of Kazakhstan and the Programme of State Support of Nongovernmental Organizations of the Republic of Kazakhstan for 2003–2005.

The prepared draft law on State social contractual awards will foster even more active NGO participation in the solution of Statewide problems.

In September 2003, the Ministry of Information conducted a open, trial competition for the performance of socially significant projects by nongovernmental organizations. For the first time ever, the State, within the framework of the law on State procurements, began funding projects of nongovernmental organizations that had existed primarily on the financial support of international funds and organizations. The 2005 Republic budget provided for a fivefold increase in funding for projects of nongovernmental organizations.

Kazakhstan has three trade-union centres: the Federation of Trade Unions of Kazakhstan, the Confederation of Labour of Kazakhstan and the Confederation of Free Trade Unions of Kazakhstan. Their main objective is to set up civilized labour relations in the country. To harmonise the interests of owners, employees and the authorities, a system of trilateral social partnership has been created on the basis of the law on social partnership in the Republic of Kazakhstan. Tripartism in the country has a 10-year history.

Article 8. International representation and participation

States Parties shall take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations.

Under Republic of Kazakhstan law, women have the right to represent our State at the international level and to participate in the work of international organizations under equal conditions with men.

In international organizations accredited with the Republic of Kazakhstan, women account for more than 25%.

Before 2003, three women were serving as Kazakhstan ambassadors abroad. At present, in the Republic of Kazakhstan Ministry of Foreign Affairs, two women are holding the post of Ambassador at Large, one is an advisor to the minister of foreign affairs, and two are Ministry of Foreign Affairs department heads.

Women participate on a regular basis in government delegations and represent the country at the international level. There are no cases of women being denied, for reason of their sex, the opportunity to represent the country or participate in the work of international organizations.

Article 9. Nationality

States Parties shall grant women equal rights with men to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change the nationality of the wife, render her stateless or force upon her the nationality of the husband.

States Parties shall grant women equal rights with men with respect to the nationality of their children.

Matters pertaining to the acquisition of nationality are governed by the law on nationality of the Republic of Kazakhstan and the UN Convention on the Nationality of a Married Woman, to which Kazakhstan acceded in 1999.

Women are given equal rights with men to acquire, change or retain their nationality. Neither marriage to an alien nor change of nationality by the husband during marriage automatically changes the nationality of the wife, renders her stateless or forces the nationality of the husband on her.

If parents are of different nationalities and one of them is a citizen of the Republic of Kazakhstan, a child born to them is a citizen of the Republic of Kazakhstan if it was born in the Republic of Kazakhstan; if born outside the Republic of Kazakhstan, the child is a citizen of the Republic of Kazakhstan if the parents or one of them has permanent residence in Kazakhstan. But if both parents have permanent residence outside the Republic of Kazakhstan, the nationality of a child born outside the Republic of Kazakhstan is determined by written agreement of the parents. If such agreement cannot be reached, the spouses are entitled to turn to the courts, which, experience shows, usually decide the nationality based on the nationality of the mother.

A child one of whose parents is a citizen of the Republic of Kazakhstan when the child is born and the other of whom is a stateless person or one whose nationality is unknown is a citizen of the Republic of Kazakhstan, regardless of the place of birth.

In cases involving the filiation of a child whose mother is a stateless person, but whose father is a citizen of the Republic of Kazakhstan, the child, if under the age of 14, becomes a citizen of the Republic of Kazakhstan, regardless of the place of birth.

In cases involving travel abroad by a child under the age of 16 with the parents, a note is made in the passport of a parent. If the child is older than 3, his or her photograph is pasted into the passport. In order for a child under the age of 18 to leave the country, agreement of the parents is mandatory.

No official permission is required of the spouse for a married women to travel either in Kazakhstan or abroad.

Article 10. Education

States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women:

(a) the same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in pre-school, general, technical, professional and higher technical education, as well as in all types of vocational training;

All citizens of the country are guaranteed free general secondary and beginning vocational training, as well as, on a competitive basis (in the context of a State contractual award), secondary vocational training, higher education, and postgraduate education. Secondary education in Kazakhstan is compulsory.

In the 2003/2004 school year, 19.1% of children aged 1–6 were in pre-schools. Some 40% of five-year-olds and 60% of six-year-olds are in the compulsory pre-school program, and there are 9.6 times more urban children in pre-schools than rural children.

By comparison with the year 2000, State budget expenditures for pre-school educational programmes rose to 5.8 billion tenge from 2.9 billion (a 100% increase).

Advanced training for degreed pre-school employees is conducted at least once every five years in advanced-training courses for secondary-education administrators and teaching personnel.

The distribution of students of general-education day schools by level of education and of students of higher education institutions is given in Table 4.

Table 4

Distribution of students of general-education day schools by level of education and of students of higher education institutions

	1999/2000	2000/2001	2001/2002	2002/2003	2003/2004
Grades 1–4	1,208,320	1,190,069	1,158,298	1,120,005	1,079,598
Girls	595,197	581,302	565,498	547,165	526,896
%	49.3	48.8	48.8	48.9	48.8
Boys	613,123	608,767	592,800	572,840	552,702
%	50.7	51.2	51.2	51.1	51.2
Grades 5–11(12)	1,888,739	1,920,086	1,907,925	1,976,390	1,965,069
Girls	960,922	956,039	950,299	984,860	975,490
%	50.9	49.8	49.8	49.8	49.6
Boys	927,817	964,047	957,626	991,530	989,579
%	49.1	50.2	50.2	50.2	50.4
Higher education students	365,385	440,715	514,738	597,489	658,106
Women	197,536	239,191	283,947	338,215	378,402
%	54	54	55	57	57
Men	167,849	201,524	230,791	259,274	279,704
%	46	46	46	43	43

Special vocational-guidance work is being done among students of general education schools. Last school year, vocational schools admitted 1.1% more girls than in the previous school year.

As of 1 October 2003, girls accounted for 55% of the students in 415 secondary occupational-training institutions, including 85% of the students in health care, 42% in law, and 41% in agriculture.

Some 98,000 individuals are being trained as skilled workers in 307 vocational schools, and 35% of them are girls (or women). The reason for the unequal ratio of men and women is due not to a violation of women's rights, but to the specific nature of the occupations, which involve difficult and adverse working conditions—such as electric/gas welder, shovel operator, general machine operator and oil-and gas-well driller.

But in professions that involve the area of services, girls make up 99.8% of the trainees in the system of beginning vocational training.

Young girls choose the field of education for a career (86%), whereas young boys choose electrical engineering (94%). That indicator points to the existing stereotype of gender roles in Kazakhstan society.

In choosing occupational training, women of Kazakhstan are guided by personal beliefs only. Women's numbers predominate in the medical, teaching, and humanities specialties.

By comparison with 1999, the number of women in economics and management in 2003 increased markedly (to 70% from 63.7%).

Table 5
Number of women and men who have gotten specialties
in higher education institutions

Higher education	1999/2000 school year					2003/2004 school year				
	Distribution by sex, %		Number			Distribution by sex, %		Number		
	F	M	Total	F	M	F	M	Total	F	M
Natural sciences	69.4	30.6	15,185	10,532	4,653	65.9	34.1	15,325	10,105	5,220
Humanities/ social sciences	50.4	49.6	87,803	44,267	43,536	52.6	47.4	84,991	44,705	40,286
Teaching	72.7	27.3	62,009	45,072	16,937	75.5	24.5	167,733	126,671	41,062
Medicine	66.9	33.1	15,201	10,165	5,036	66.8	33.2	22,461	15,008	7,453
Culture, arts, architecture	68.0	32.0	7,571	5,152	2,419	69.5	30.5	8,185	5,686	2,499
Economics and management	63.7	36.3	83,884	53,394	30,490	70.0	30.0	87,955	61,605	26,350
Applied geology and exploration	39.7	60.3	1,367	543	824	43.4	56.6	2,549	1,105	1,444
Mining	13.1	86.9	3,067	402	2,665	15.0	85.0	3,318	497	2,821
Oil and gas	11.9	88.1	4,946	591	4,355	15.2	84.8	16,154	2,458	1,369
Electrical power engineering	14.9	85.1	4,592	685	3,907	11.2	88.8	9,208	1,033	8,175
Heat power engineering	31.9	68.1	1,046	334	712	27.6	72.4	2,486	687	1,799
Metallurgy	33.2	66.8	2,246	745	1,501	31.3	68.7	3,553	1,113	2,440

Machine-building technologies and equipment	16.4	83.6	2,125	348	1,777	14.4	85.6	2,606	376	2,230
Aeronautical engineering	1.1	98.9	186	2	184	4.5	95.5	313	14	299
Marine engineering	26.5	73.5	147	39	108	25.4	74.6	535	136	399
Automotive engineering	6.3	93.7	6,921	438	6,483	5.3	94.7	9,958	523	9,435
Vehicle operation	16.7	83.3	5,643	943	4,700	22.2	77.8	15,246	3,384	11,862
Printing	52.9	47.1	289	153	136	43.7	56.3	270	118	152
Geodesy	47.6	52.4	164	78	86	46.3	53.7	268	124	144
Electrical engineering and electrical equipment	14.9	85.1	1,556	232	1,324	14.5	85.5	3,467	503	2,964
Instrument-making	31.2	68.8	685	214	471	34.2	65.8	1,021	349	672
Electronics engineering	26.3	73.7	286	49	137	24.2	75.8	658	159	499
Automation and control	29.1	70.9	2,850	828	2,022	29.1	70.9	6,144	1,786	4,358
Computer engineering and software	33.3	66.7	3,903	1,299	2,604	33.6	66.4	12,259	4,115	8,144
Radio electronics and telecommunications	32.2	67.8	2,498	804	1,694	33.6	66.4	5,083	1,710	3,373
Chemical technology	41.2	58.8	2,152	886	1,266	41.3	58.7	4,633	1,913	2,720
Product and consumer goods manufacture	44.6	55.4	345	154	191	76.5	23.5	2,146	1,642	504
Food product processing	53.6	46.4	4,041	2,165	1,876	65.6	34.4	3,913	2,565	1,348
Construction	33.8	66.2	7,761	2,626	5,135	26.5	73.5	5,217	1,384	3,833
Farm and forest management and fisheries	17.4	82.6	396	69	327	35.4	64.6	10,906	3,859	7,047
Bachelor's degrees	–	–	–	–	–	62.5	37.5	81,194	50,772	30,422
Natural sciences	–	–	–	–	–	66.3	33.7	7,179	4,759	2,420
Humanities/socio-economic sciences	–	–	–	–	–	62.8	37.2	68,046	42,710	25,336
Medicine	–	–	–	–	–	88.2	11.8	17	15	2
Interdisciplinary sciences	–	–	–	–	–	56.4	43.6	3,238	1,826	1,412
Engineering sciences	–	–	–	–	–	53.9	46.1	2,714	1,462	1,252
Master's degrees	–	–	–	–	–	68.0	32.0	7,337	4,989	2,348
Natural sciences	–	–	–	–	–	76.9	23.1	1,336	1,027	309
Humanities/socio-economic sciences	–	–	–	–	–	65.1	34.9	4,450	2,895	1,555
Interdisciplinary sciences	–	–	–	–	–	73.3	26.7	992	727	165

Engineering sciences	–	–	–	–	–	60.8	39.2	559	340	219
Other specialties	45.5	54.5	22,613	10,295	12,318	44.8	55.2	61,014	27,308	33,706
Thousands of persons	54.1	45.9	365,385	197,536	167,849	57.5	42.5	658,106	378,402	279,704

Women are more interested in continuing and upgrading their education. Women account for 62.5% of those studying at the bachelor's degree level and 68% of those studying at the master's degree level.

(b) access to the same curricula, the same examinations, teaching staff with qualifications of the same standard and school premises and equipment of the same quality;

One of the tenets of State education policy is the equality of the rights of all citizens of the Republic of Kazakhstan to an education. Girls and boys have the same right to study the same subjects.

The State is establishing education standards that are mandatory for all. The activities of all learning institutions must conform to those standards (para. 4, art. 30 of the Constitution of the Republic of Kazakhstan)

In the education system, all curricula, textbooks, and teaching materials are the same for all students, regardless of sex, in terms of content.

Girls and boys and young men and women are taught together, with the same education programmes.

Overall, the country's education system has been feminized, and female teachers predominate in education organizations (80.6%).

Table 6

Number of education workers in general education day schools

	Total	Women		Men	
		Persons	%	Persons	%
1999	262,242	–	–	–	–
2000	276,343	222,125	80.4	54,218	19.6
2001	273,736	221,287	80.8	52,449	19.2
2002	279,326	225,135	80.6	54,191	19.4
2003	285,854	230,346	80.6	55,508	19.4

Table 7

Number of education workers in beginning and senior grades of schools

	Total	Grades 1–4				Total	Grades 5–11 (12)			
		Women		Men			Women		Men	
		Person	%	Person	%		Person	%	Person	%
2000	63,569	61,715	97.1	1,854	2.9	165,306	139,612	84.5	25,694	15.5
2001	61,294	59,705	97.4	1,589	2.6	164,571	140,293	85.2	24,278	14.8
2002	60,509	59,301	98.0	1,208	2.0	170,191	144,763	85.1	25,427	14.9
2003	60,203	59,143	98.2	1,060	1.8	174,345	149,107	85.5	25,238	14.5

Table 8

Professors and instructors in higher education institutions

	1999/2000	2000/2001	2001/2002	2002/2003	2003/2004
Total	26,996	29,577	34,508	37,602	40,972
Women	15,240	17,298	19,925	22,154	24,724
%	56.5	58.5	57.7	58.9	60.3
Men	11,756	12,279	14,583	15,448	16,248
%	43.5	41.5	42.3	41.1	39.7

Table 9

Professors in higher education institutions

	1999/2000	2000/2001	2001/2002	2002/2003	2003/2004
Total	2,007	2,424	2,812	2,935	2,744
Women	334	379	506	622	511
%	16.6	15.6	18.0	21.2	18.6
Men	1,673	2,045	2,306	2,313	2,233
%	83.4	84.4	82.0	78.8	81.4

Of the 16 heads of oblast and city education offices (departments), half are women.

Women make up 48.5% of the principals of general education schools.

(c) the elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular, by the revision of textbooks and school programmes and the adaptation of teaching methods;

CEDAW recommendations are being followed in terms of accelerating the implementation of reforms, improving curricula, and revising the content of textbooks to eliminate the traditional attitude toward women.

In that connection, the Research Institute of Social and Gender Studies, with the assistance of UNICEF and the Ministry of Education, has performed a gender analysis of teaching environment and has developed a manual for gender education and a textbook for higher education institutions called *The Bases of Gender Education*.

Gender training has been conducted in trial regions (Almaty and the Almaty, Eastern Kazakhstan and Kzylorda oblasts) for kindergarten teachers, school teachers, higher education instructors, education departments and NGOs.

The gender analysis of the textbooks for the primary grades of general education schools has been completed. It found gender asymmetry in them, which is rooted and reproduced in the consciousness of the children, and outdated stereotyped roles of boys and girls were identified.

Curricula for gender education have been developed for pre-schools (children aged 6 or 7), grades 1–4, and higher education institution students, and next year they will be developed for grades 5–11. Teaching aids for teachers and students are

being developed, and gender awareness is to be introduced into the entire system of education in the years immediately ahead.

(d) the same opportunities to benefit from scholarships and other study grants;

In all educational institutions, girls enjoy the same opportunities that young men have to obtain scholarships and other privileges and grants established by law.

The Republic of Kazakhstan has a system of State study grants for training specialists with higher occupational training.

The individual's level of knowledge is the main criterion for the awarding of the grants.

There are also State scholarships for individual categories of students at day divisions of State education organizations.

In addition, orphan students, students who are children deprived of parental care, students from families that have the right to receive targeted social assistance, and students who make high grades on exams are given State student loans to partially cover their expenses for food, housing, and the acquisition of books.

The above-enumerated grants and scholarships are awarded to men and women on an equitable basis.

(e) the same opportunities for access to programmes of continuing education, including adult and functional literacy programmes, particularly those aimed at reducing, at the earliest possible time, any gap in education existing between men and women;

Article 3 of the Republic of Kazakhstan law on education specifies that one of the main tenets of State education policy is the equality of the rights of all citizens of the Republic of Kazakhstan to education and public access to education at all levels on the basis of the intellectual development and psychophysiological and individual features of each citizen.

If, for any reason, a student cannot continue full-time studies, the student may continue through correspondence courses, evening courses, remote study or external study (para. 6, art. 14 of the Republic of Kazakhstan law on education, of 7 June 1999).

The number of girls and young men who have discontinued their education is roughly the same.

Table 10

**Number of students in higher education institutions
who have discontinued their education**

	Total	<i>Women</i>	<i>%</i>	<i>Men</i>	<i>%</i>
1999/2000	31,821				
2000/2001	34,793	18,159	52.2	16,634	47.8
2001/2002	47,125	20,821	44.2	26,304	55.8
2002/2003	52,441	25,796	49.2	26,645	50.8
2003/2004	58,917	28,392	48.2	30,525	51.8

(f) the reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely;

For children under 16 who have committed wrongful acts or gross and repeated violations, expulsion from a general education school is an extreme measure for the school to deal the children. Expulsion is permitted if the school's teacher's council approves the expulsion.

The decision to expel children, as well as those deprived of parental care, is made in consultation with tutorship and guardianship authorities. Within three days, the school informs the local education administrative authorities of the expulsion of a student, and, within one month, the authorities decide the question of job placement for the student.

Given that one of the main tenets of the State education policy is the equality of the rights of all citizens, these rules extend equally both to females and males.

For girls expelled from school, conditions are in place for them to complete their studies, classes for individuals are held, and the girls are transferred to evening classes.

(g) the same opportunities to participate actively in sports and physical education;

Young girls have access to sports both in school and outside it that is equal to that of young boys.

All students have equal rights for athletics, clubs, and hobby groups.

There is no discrimination against women in the Republic in physical education or sports.

In 2001, separate physical education classes were instituted for boys and girls in grades 5–11.

(h) access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning.

Prevailing law gives young girls rights that are equal to those of young boys in terms of education and medical services in all areas of life.

No negative national traditions are observed in practice with respect to young girls of any ethnic group living in Kazakhstan.

Subjects such as "Fundamentals of law", "Man and society" and "Ethics and psychology of family life" are taught in all general education schools and in more than half of the higher and secondary vocational institutions. Students have equal opportunities to obtain information pertaining to health and family planning and legal information.

Virtually all schools and more than half of higher and secondary special institutions of learning have instituted a programme called "Healthy Living", which includes the following: personal hygiene; the effects of tobacco, drugs, and toxic agents on the body; the prevention of AIDS and sexually transmitted diseases; the inculcation of healthy lifestyles, etc.

A programme of age-related hygiene for teenage girls called "About Yourself" has been instituted in all education organizations. Experienced gynaecologists who

make use of colour handouts on age-related hygiene are being enlisted to teach the classes in that programme.

On 1 September 2002, all oblasts of the Republic introduced a new subject called "Self-knowledge." The conceptual bases for this subject consist in the philosophical and psychological- pedagogical bases of a moral education, which will enable schoolchildren to see their inner potential, their emotional state, and their behavioural motives.

During moral-and-sex-education months and "health days for teenage girls", students meet with personnel from the police, the prosecutor's office, and health-care organizations. Lectures on the following topics have become traditional: "Modesty and loose behavior", "Honour in virginity", "Harm done by early sexual relations and its consequences", and "The effects of alcohol and nicotine on the girl's body."

In vocational schools and colleges of the Akmola, Almaty, Pavlodar, Karaganda, and other oblasts, in the context of educational work among girls to prevent violations of the law, including violence, lectures such as the following are being given: "The health of women is the health of the nation", "What is trafficking?" and "If you find yourself in trouble."

A given number of hours is devoted to the family in all social and humanities disciplines taught at secondary vocational training schools. A course titled "Cultural studies" focuses on the origins of the family, the role of women in it, and the effect of religion on the formation of family and marital relations. A course called "Political studies" devotes particular attention to discrimination against women in the political arena.

With the assistance of the National Commission for Women and the Family and the technical support of UNICEF, the Science Centre of the Socio-Psychological Service has drafted and implemented a project called "Teaching nonviolent behavior to young and older children". A curriculum, plan and set of teaching methods have been developed and tested for students of grades 5–10. After they have been modified, they will be incorporated into the education system.

Article 11. Employment

1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular:

(a) the right to work as an inalienable right of all human beings;

Under article 24 of the Constitution, every individual has the right to freedom of labour and free choice of occupation and profession. Every individual has the right to working conditions that meet safety and hygiene requirements, to remuneration for labour without discrimination, and to social protection against unemployment.

In addition, women are provided the opportunity to work by article 4 of the Republic of Kazakhstan law on labour in the Republic of Kazakhstan, in keeping with which no one's labour rights can be restricted and no one can be afforded any advantages in terms of the enjoyment of those rights as a function of gender or other

circumstances unrelated to the job qualifications of the employee or to the results of the employee's work.

The CEDAW recommendations to carry out special programmes for the vocational training and retraining of various groups of unemployed women are being implemented.

In 1999–2003, some 844,000 women turned to employment authorities for job-placement assistance. Of those women, 273,700 found jobs, 55,000 learned new professions, and 305,000 took part in paid public works, i.e., real help was given to 75% of the women.

The Programme for the Employment of the People of the Republic of Kazakhstan for 2005–2007 that is under development calls for the implementation of a number of effective measures to provide employment and social support for unemployed women.

The percentage accounted for by women among those employed in the economy was 49% in 2003 (47.6% in 1999, 47.5% in 2000, 48.2% in 2001, and 49% in 2002).

For the country as a whole, a steadily falling trend is being noted in the level of unemployment (to 8.8% in 2003 from 13.5% in 1999). Also dropping is the level of unemployment among women. If it was 12% in 2001, it was 11.2% in 2002 and 10.4% in 2003. At the same time, unemployment among women exceeds, as before, unemployment among men (which is 7.2%).

A Republic of Kazakhstan presidential decree approved the State Programme for the Development and Support of Small Business for 2004–2006, which stipulates a set of measures to improve institutional conditions aimed at forming a middle class.

Every year, the National Commission conducts a Republic-wide competition called "Best enterprise headed by a woman". Thousands of women from all regions of the country take part in it, and it gives them the opportunity to feel confident about being in business and to feel more in demand in society.

Along with that, the Committee for the Support of Small Business, with an eye to encouraging women's businesses, conducts a Republic-wide competition every year called "Best entrepreneur of the year", in which there is a category "Best woman entrepreneur." In 2003, a total of 48 women participated in the competition in that category.

At present, 35% of public entrepreneurial associations that are functioning in the Republic are headed by women.

Philanthropic campaigns are constantly being conducted, among them the "Women of Kazakhstan Against Poverty" and "Ak Niet", which have become traditions. In those campaigns, nearly one thousand women have been taught the fundamentals of creating their own business, and many of them have received certificates guaranteeing special receipt of microcredits.

NGOs have also partnered in teaching women the fundamentals of business. Over a four-year span, more than 500 training sessions have been conducted, and more than 20,000 women have undergone training in them.

As of 1 January 2004, some 142,800 unemployed individuals were registered with employment authorities, and 87,100 of them were women (60.9%).

Unemployment, as before, has a female face. Many women do not have an opportunity to be involved in business. Women's wages are lower than men's, even in sectors that are traditionally women's sectors, such as health care, education and social services. This is particularly true of rural women. For example, average nominal wages for women throughout the country are 2.4-fold higher than for rural women.

(b) the right to the same employment opportunities, including the application of the same criteria for selection in matters of employment;

In the Republic, there are no differences whatsoever between men and women in terms of hiring, and there are no specific types of jobs that are governed by law and are regarded as "men's work" only.

A potential employee is required to submit documents that verify that the individual is capable of doing a given type of work.

Based on article 5 of the law on employment, the State guarantees citizens protection against any form of discrimination and ensures equal opportunities in terms of getting an occupation and a job. Individuals who feel they have been subjected to labour discrimination may file the appropriate claim with the courts.

In addition, Kazakhstan has ratified the ILO conventions concerning employment policy, concerning discrimination in respect of employment and occupation, concerning equal remuneration for men and women workers for work of equal value and concerning workers with family responsibilities, thereby confirming its adherence to international standards in matters of employment.

(c) the right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training;

Under article 24 of the Constitution, every individual has the right to freedom of labour and the free choice of occupation and profession.

Under the law on labour in the Republic of Kazakhstan, regardless of sex, workers have the right to vocational training, paid annual vacation and sick leave, social benefits paid by the employer (temporary disability due to general illness, an injury on the job, occupational disease, etc.) and compensation for harm done to the employee by a work injury or other injury to health.

For example, in the field of education, advanced training of degreed specialists is performed at least once every five years throughout their entire career.

Education workers receive advanced training and retraining at the Republic Institute for Advanced Training of Administrative and Teaching Personnel at the Secondary Education Level, which is located in Almaty, and at 16 other such institutes and centres for advanced training and retraining of personnel in oblasts

and the cities of Astana and Almaty. In addition, the training services of rayon and city education divisions deal with advanced training to varying extents through seminars, conferences, and consultations. The annual August teachers' conferences, which are held before the beginning of each school year in all regions of the country, play a considerable role in advanced training.

The draft Labour Code now under development specifies measures that anticipate vocational training, retraining and job placement.

For purposes of meeting the needs for qualified personnel, the employer is given the opportunity both to train his employees in the general education system and to create and expand an on-the-job structure for training personnel.

The draft Code secures the basic legal guarantees for job placement for the worker. The State provides equal opportunities to the worker to acquire a profession, provides vocational-guidance services and is helping to create new jobs. The role and significance of professional mediation are defined. The employer is also given rights and duties in terms of worker job placement.

(d) the right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work

Under subparagraph 2 of article 7 of the Republic of Kazakhstan law on labour in the Republic of Kazakhstan, the worker has the right to equal pay for equal work, without any kind of discrimination.

The income of each worker is determined by the worker's personal contribution to the end results of the work, is subject to taxes, and has no ceiling. The law on labour guarantees equal pay for equal work, i.e., for work of the same duration, intensity and difficulty.

Differences in wages depend on the position held and the work that is being done, which may require that the worker have a given level of skill and training; the differences are not based on gender.

Minimum wage in Kazakhstan increased by 32% on 1 January 2004. On average, wages rose by 20% for budget-sphere workers and by 50% for State employees.

In 2003, the average wage for the country was 23,000 tenge, with an average of 17,300 tenge for women. By comparison with 2001, the share accounted for by women's wages increased by 2.1 percentage points more than it did for men's. At the same time, the average wage for women is lower than that for men. Last year, it was 61% of the average wage for men.

The reason is that women, as a rule, work in lower-paying positions, even in such traditionally women's sectors as health care and education.

(e) the right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave;

Under the law on pension support in the Republic of Kazakhstan, retirement benefits are paid to men when they reach 63 and to women at 58. Women who have

given birth to five or more children and who raised them to the age of 8 may retire at 53.

In 1998, Kazakhstan became the first country in the CIS to begin a systematic transition to a capital-accumulation pension system.

As of 1 July 2004, there were 6,538,012 participants in the capital-accumulation system, 2,976,880 of which were women, who constitute 45% of the total number of contributors.

Under the law on social protection of victims of nuclear testing at the Semipalatinsk test site, men in that region are paid retirement benefits when they reach 50, and women, when they reach 45, if they have been working for a total of at least 25 years and 20 years, respectively.

Deductions to capital-accumulation pension funds amount to 10% of the monthly income for both women and men.

At the same time, gender perspectives, as a rule, are not taken into account. For example, pension reform does not take into account the high level of unemployment among women, when they could be contributing to pension funds. Since they retire at an earlier age, elderly women can find themselves without sufficient means of subsistence.

(f) the right to protection of health and safety in working conditions, including the safeguarding of the function of reproduction

Article 15 of the Republic of Kazakhstan law on labour safety and protection prohibits the use of women for jobs involving heavy physical labour or jobs with harmful (extremely harmful) or hazardous (extremely hazardous) working conditions.

The question of prohibiting the recruitment of pregnant women for night work is under consideration.

Article 87 of the Republic of Kazakhstan Administrative Violations Code specifies administrative liability for an employer in the form of a fine for violations of statutes and other legal and regulatory acts in the area of labour relations.

In the Republic, there are specific sectors such as mining and metallurgy, coal and oil-and-gas in which the use of women's labour is permitted solely in support sections involved in ensuring the functioning and survival of enterprises. The prohibition or restriction of women's labour in such sections is governed by the "List of workplaces, professions and jobs that involve difficult and harmful working conditions and at which the use of women's labour is prohibited."

2. In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take appropriate measures:

(a) to prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status;

Article 26 of the law on labour in the Republic of Kazakhstan prohibits dismissal on the grounds of pregnancy or maternity leave.

At present, a draft law on the incorporation of amendments and additions into the Republic of Kazakhstan law on labour in the Republic of Kazakhstan, which prohibits an employer from cancelling contracts with pregnant women or women who have children under the age of one and a half years, has been prepared. Women who have children under the age of one and a half are given special breaks to feed the children. The recruitment of pregnant women for overtime work is prohibited. Women who have children under the age of 7 may be recruited for overtime work if they consent to that in writing.

(b) to introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances;

Under article 66 of the law on labour in the Republic of Kazakhstan, women are given pregnancy leave and maternity leave consisting of 70 calendar days before the birth and 56 calendar days after the birth (70 days if there are birth complications or two or more children are born). The leave is calculated cumulatively and is given to the woman in its entirety, regardless of the number of days actually used before the birth, with payment of pregnancy and maternity benefits for those time periods at the employer's expense, regardless of how long the woman has worked in the organization. A woman (or man) who has adopted a newborn child directly from a maternity hospital is given leave (one of the parents is given leave) for a period beginning from the day of adoption and ending 56 days after the child was born, with payment of benefits to them during that period at the employer's expense, regardless of how long the adoptive parent has worked in the organization.

The question of paying pregnancy and maternity benefits with social insurance monies is currently under consideration.

The draft law on State benefits to families with children calls for further payment of a one-time child-birth allowance equal to 15 times the monthly accounting index, regardless of the income of the family, and the introduction of an additional allowance for child care until the child reaches the age of 1 and an allowance for children from indigent families until the children reach the age of 18. The draft law is now under review in the Republic of Kazakhstan Parliament.

If a child under the age of 2 becomes sick, the mother is given a social allowance, regardless of whether there is another family member who can look after the sick child. The size of the allowance is reckoned on the basis of the average monthly wage, but is no larger than 10 times the minimum accounting index. At the moment, it is 919 tenge.

A draft of the Labour Code in the Republic of Kazakhstan is under preparation. It proposes increasing child-care leave without pay to three years from one and a half.

(c) to encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities;

Care for school-age children who are in school less time than their parents are at work is provided in extended-day groups, where children can play and do their homework and where they are fed. In many State and private schools, after the

school day, activities are arranged in which children work in hobby groups or take trips to museums, movie houses, theatres or theme or amusement parks.

A working group has been created to draft a law on pre-school education and training in the Republic of Kazakhstan.

(d) to provide special protection to women during pregnancy in types of work proved to be harmful to them.

Under article 48 of the law on labour in the Republic of Kazakhstan, pregnant women may be hired for night work solely with their consent.

Under article 46 of that law, an abbreviated workweek—no more than 36 hours—is in place for workers (regardless of sex) who do heavy physical labour or whose jobs involve harmful working conditions. The list of workplaces, shops, professions and positions, as well as of jobs that have harmful (extremely harmful), and/or difficult (extremely difficult) or hazardous (extremely hazardous) working conditions and that give the worker the right to abbreviated working hours is determined by the authorized State labour authority.

Also under article 23 of the law, pregnant women, depending on a medical finding, are transferred to a different job that precludes exposure to difficult and adverse working factors, and their average monthly wages from the previous job is maintained.

3. Protective legislation relating to matters covered in this article shall be reviewed periodically in the light of scientific and technological knowledge and shall be revised, repealed or extended as necessary.

Article 15 of the 28 February 2004 Republic of Kazakhstan law on labour safety and protection specifies that the use of women's labour is prohibited on jobs that involve heavy physical labour and jobs with harmful (extremely harmful) and hazardous (extremely hazardous) working conditions. The list of workplaces, professions, and jobs that have difficult and harmful working conditions and at which the use of women's labour is prohibited was approved by the 20 September 1999 order No. 184-P of the Republic of Kazakhstan minister of labour and social protection. In addition, the 20 January 1994 resolution of the Cabinet of Ministers of the Republic of Kazakhstan No. 89 approved the standards for the maximum allowable weight women can lift and carry. No changes have been made to those legal and regulatory acts.

Article 12. Equal access to medical services

1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning.

Women and men in our country have equal access to medical services.

The Constitution of the Republic of Kazakhstan stipulates the right of Republic of Kazakhstan citizens to protect their health and to receive the free, guaranteed amount of medical care established by law and paid medical care in State and private treatment facilities, as well as with individuals with a private medical practice.

To enhance the accessibility of medical care to women, work is under way in the Republic to restore medical obstetric facilities and open new ones.

In 2003, the Republic restored or opened 27 women's medical clinics and offices.

To provide medical care to women, the Republic has the following: midwife stations (1,420), paramedical stations (2,720), family outpatient clinics (1,570), women's clinics (79), and clinicodiagnostic polyclinics (44), as well as 9 Marriage and Family departments and 13 medical genetics offices, 717 obstetrics-gynaecology offices, and 524 patient examination rooms. In addition, hospital care is provided to pregnant women by 34 maternity centres, 11 perinatal centres, and 156 maternity departments in central rayon hospitals.

A total of 3,877 physicians who are obstetrician-gynaecologists and 8,018 midwives are in practice (those figures were 3,622 and 8,065, respectively, in 1999).

A total of 37,601 women physicians work in the health care sector, primarily at the practical health-care level. Some 95% of mid-level medical workers are also women.

In recent years, nontraditional medicine has expanded (chiropractic, acupuncture, folk healers, etc.), and 60% of those working in those areas are women.

There are no legal or cultural obstacles to women receiving medical services, including family planning.

Women have the right to decide the questions of how many children to have and what the spacing between births will be, as well as to receive family-planning information and services. The husbands' consent is not necessary for family planning services workers to provide women with information.

All obstetrician-gynaecologists and midwives have methods for family planning and modern contraception. The contraceptives received in the context of humanitarian assistance are distributed for free.

In the Republic, 35.6% of women of childbearing age use one form or other of contraception. The main contraception method is the intrauterine device (62.5%, as opposed to 73.4% in 1999).

Kazakhstan has no policy limiting the number of children a woman can give birth to. Only free access to information on means of family planning is provided. Family planning is the right of every individual family and every woman.

In the Republic, about 16% of marriages are childless, and 30% of married couples need assisted reproductive technologies.

In that connection, yet another achievement is the passage of the law on the reproductive rights of citizens and the guarantees of their exercise. It makes provision for the possibility of surrogate motherhood, governs the legal relations between the surrogate mother and the potential parents, and specifies the rights and obligations of the parties.

The law resolves issues of artificial insemination and embryo implantation, donorship of germ cells, induced termination of pregnancy, surgical sterilization, etc. Human cloning is prohibited in Kazakhstan.

The surrogate mother and women who have given birth to children with artificial methods have equal rights in terms of receiving medical care.

Women and men may be sterilized solely with their consent. There are no legal or regulatory acts obliging citizens to be sterilized.

No female genital cutting or mutilating surgery involving the vulva is performed.

There are no statutes establishing a minimum age for consent to sexual relations. The law on marriage and the family specifies a minimum age for marriage registration—18, both for women and men.

The CEDAW recommendations on lowering anemia and iodine-deficiency disorders are being followed.

Thanks to the persistence of the National Commission and the recruitment of all interested parties, with the financial support of the Asian Development Bank, the project called "Improvement of nutrition for women and children from indigent families" is in its fourth year.

A separate important component of the project is its communication component, which is being implemented by nongovernmental organizations of Kazakhstan. To better inform the public, the project has been extended for two years.

Production of iodized salt is in place at the large Araltuz and Pavlodarsol plants, and equipment for fortifying flour (enriching it with iron) has been installed at 15 mills. All salt used for nutritional purposes and fortification—all flour used for bread-making—is now being iodized.

In the development of that project, the laws on preventing iodine-deficiency disorders (14 October 2003) and on the quality and safety of food products (8 April 2004) were passed.

A very serious problem is breast cancer, which is the No. 1 oncological disease among women.

The country is taking measures to treat and prevent that terrible disease, which has a direct effect on the health and reproductive functions of women.

The National Commission, along with the National Centre for a Healthy Lifestyle and the support of the United Nations Population Fund, has designed and published 20,000 copies of a colour poster titled "Examine yourself and see a doctor." It has been sent to all medical institutions, even to rural outpatient clinics and midwife stations.

Possibilities are now being explored for creating regional centres for the early detection and treatment of breast cancer.

Some 95% of children under the age of 2 are receiving preventive vaccinations for tuberculosis, polio, diphtheria, measles, and other diseases. Kazakhstan was the first CIS country to vaccinate all newborns against viral hepatitis B.

A decline has been noted in tuberculosis morbidity, as well as morbidity for other infectious diseases. By comparison with 1995, diphtheria morbidity has

dropped 223-fold; epidemic parotitis, by 45%; and measles, by 10.7-fold. Syphilis morbidity has dropped to 92.1 persons per 100,000 population from 128.5.

The Programme to Counter the AIDS Epidemic in the Republic of Kazakhstan for 2001–2005 is being implemented. It is a multi-sector programme in which departmental programmes have been adopted and approved by the ministries of justice, internal affairs, defense, education and labour and social protection. Regional programmes have been adopted and approved in all oblasts and large cities.

Virtually all students in primary schools, special secondary education institutions and higher education institutions are in programmes that teach the prevention of HIV/AIDS.

A teaching aid called "On Reproductive Health and the Prevention of HIV/AIDS and Drug Abuse", which is intended for general-education school instructors, has been published, as has a guide called "Reproductive Health and Family Planning", for teaching teenagers and other youth; a manual has been drafted for healthy-living proponents on current problems in the prevention of HIV/AIDS.

People who are at high risk are being provided with printed materials on ways of protecting against HIV infection and STDs.

A great deal of work is being done to support and create public associations that are geared to preventing and controlling HIV/AIDS, STDs and drug abuse. At the moment, 50 NGOs are working in this area.

To ensure the accessibility of consulting services and the provision of skilled medical assistance for individuals of elevated risk, 32 people-friendly offices and 410 offices for anonymous testing and psychological and social counselling have been set up. In 2003 alone, more than 200,000 people visited those offices.

In all regions of the Republic, obstetric-gynaecological facilities are providing free contraception and abortion services for HIV-infected women and drug-addicted women in order to prevent congenital HIV infection. To treat HIV-infected women during pregnancy and childbirth, as well as their children, some 6 million tenge worth of drugs were purchased in 2003, and 44 pregnant women and 40 children were treated. All oblast and city AIDS centres have antiretroviral preparations for the prophylactic treatment of HIV-infected pregnant women and their children.

With an eye to implementing CEDAW recommendations to reduce the number of people using tobacco, alcohol and drugs, the laws on preventing and curbing smoking (2002) and on the medical and social rehabilitation of individuals addicted to drugs (2002) have been passed. Article 13 of the 19 December 2003 Republic of Kazakhstan law No. 508-II on advertising prohibits the advertising of alcohol. Special campaigns in the mass media are also being conducted, and special training programmes are being introduced in the education system.

In 2003, the structure of the Office for Promoting a Healthy Lifestyle was improved, and three city centres and 10 rayon centres with staff and independent funding were created. An additional 25 health promotion centres were created at treatment and prevention organizations.

The State is supporting mothers who have disabled children as dependents. Every month, per child, a State social allowance amounting to 4 times the monthly

accounting index (in 2004, that was 3,676 tenge) is paid to disabled children under 16, along with a special State allowance that is 0.9 times the monthly accounting index (in 2004, that was 827 tenge).

The CEDAW recommendations for improving the environmental situation in the country are being followed. Republic environmental programmes such as Health and the Human Habitat, Introduction of a Standardized System for Monitoring Drinking Water Quality, and Protection of the Public and the Environment against Dioxins and Other Persistent Organic Contaminants have been approved. Over the last two years, more than 4 billion tenge have been allocated on their implementation from budget funds.

The Concept for the Environmental Safety of the Republic of Kazakhstan for 2004–2015 has been adopted. It was approved by a presidential decree. The essence of the Concept consists in the complete greening of key, critical spheres of activity and influence—the economy, national legislation, and society itself.

A joint order of the minister for environmental protection and the minister of education and science approved the Concept for Environmental Education in the Republic of Kazakhstan. The Concept calls for the introduction of environmental education in the family and in pre-school institutions, general education schools and higher education institutions, as well as through the mass media. A programme has been drafted for its implementation.

NGOs are playing a conspicuous role in the implementation of the State's environmental policy. Their sphere of activity involves problems associated with the contamination of the environment; the disposal of nuclear waste; the regions of environmental concern near the Aral Sea and in the Semipalatinsk area, at the Baykonur space launch facility and military test ranges, and in the Caspian area and Balkhasha; and the protection of rare species of flora and fauna.

The primary sphere of activity of more than 80% of the NGOs is environmental education. They have developed more than 59 teaching aids for teachers in that area.

The minister for environmental protection signed the trilateral Memorandum of Cooperation with Parliament and nongovernmental organizations on preparations for ratification of the UN Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters, to which Kazakhstan acceded in 2000.

Today, one of the primary objectives of State health care policy is to provide the citizens of Kazakhstan with a guaranteed volume of free medical assistance.

2. Notwithstanding the provisions of paragraph 1 of this article, States Parties shall ensure to women appropriate services in connection with pregnancy, confinement, and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.

Medical services for women during pregnancy and in the post-natal period are free. Some 97.1% of pregnant women have received pre-natal care (that figure was 97% in 1999).

In pre- and post-natal care, obstetrician-gynaecologists and paediatricians provide recommendations on sound nutrition and the intake of vitamins and other

micronutrients. No special State laws or regulations have been passed to provide pregnant women and breast-feeding mothers with nutrition.

Antepartum foetal testing is performed. In the early stages of pregnancy, a serum marker screening test is performed for chromosomal pathology.

The pregnancy is terminated if the foetus has a congenital developmental defect not compatible with life, multiple congenital developmental defects, or foetal chromosomal pathology confirmed with cytogenetic tests after the use of an invasive diagnostics method.

Induced termination of pregnancy is performed at the woman's request at the following stages of pregnancy: at 20 days or less of no menstruation, from 20 days of no menstruation to week 12 of pregnancy, and from week 12 to week 22 for social indications. If there are medical indications threatening the life of the pregnant woman, the termination is performed regardless of the stage, with the woman's consent.

The Republic has no laws obliging women to have abortions. Abortions are legal and are performed at the request of the woman. Women from indigent families may also have a free abortion.

In the reporting period, the number of abortions performed continued to decline, to 30.2 per 1,000 women in 2003 from 34.1 in 1999; the number of criminal abortions also declined, to 129 in 2003 from 389 in 1999.

Complications caused by abortion were found in 1,846 cases in 2003 (that figure was 2,676 in 1999). The annual case mortality rate from abortions is 0.02 per thousand.

Only 0.3% of abortions are performed outside treatment facilities, and they are regarded as criminal. Medical care is provided absolutely free for women with incomplete abortions.

To prevent and reduce the problems of teenage pregnancy, AIDS, drug abuse and alcoholism among teenagers, telephone hotlines are set up in Astana, Almaty, and several other cities.

For purposes of providing the people of the country with safe contraception, a number of contraceptives (intrauterine devices and hormonal contraceptives) are on the list of key, vitally important pharmaceuticals.

The public receives family-planning medical services from obstetrician-gynaecologists, family doctors, and midwives. The principal shortcoming is that the rural population has 1.0 obstetrician-gynaecologist per 10,000 population, whereas that figure is 3.8 for the urban population. Based on 2003 figures, 46.2% of maternal mortalities are in rural areas.

International organizations are providing a great deal of help in solving the problems of women's and children's health.

With technical assistance from USAID, a national policy has been drafted for 2000–2010 for protecting the reproductive health of the people of the Republic of Kazakhstan through the use of computer modelling of family planning.

The US\$12 million Government of the Republic of Kazakhstan–UNICEF Programme of Cooperation for 2000–2004 is being implemented. At present, the

Government is involved in developing the next UNICEF country programme in Kazakhstan for 2005–2009, in which special attention will be devoted to needy families. A joint \$6 million programme with UNFPA is under implementation. Its primary objective is to help improve the reproductive health of the people and promote safe motherhood and family planning.

We need to intensify efforts to provide universal access to family planning services, as well as to raise awareness—particularly among schoolchildren in higher grades and higher-level students—of the harm done by abortion and its consequences. Of no small importance is information on the rights of young mothers, particularly regarding the possibility of leaving the children temporarily with infant-care homes until the young mothers have completed their schooling or until their housing and financial conditions improve. Without that, the number of abortions cannot be lowered, particularly among teenagers, which in most cases results in infertility and an increase in maternal mortality.

Article 13. Social and economic benefits

States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women, the same rights, in particular:

(a) the right to family benefits;

In Kazakhstan, family benefits are paid in the form of targeted social assistance, childbirth allowance, special State allowances and housing allowances.

Targeted social assistance is governed by the law passed in 2001 on State targeted social assistance. It is provided to individuals (families) whose average per capita income is below the poverty line (40% of the subsistence minimum).

In 2003, some 860,000 individuals received targeted social assistance. The average amount of targeted social assistance was a little over 1,000 tenge.

The principal recipients of targeted social assistance are children, who account for 60% of recipients. Among other categories are the unemployed (15%) and women caring for children (11%).

Introduced on 1 January 2003 was the payment of a one-time State child-birth allowance to women, irrespective of family income, in an amount equal to 15 times the monthly accounting index, which was 13,785 tenge in 2004.

To further improve the system of social protection for families with children, a draft law on State benefits to families with children has been prepared. It calls for payment of a child-care allowance (irrespective of family income) until the child reaches the age of 1 and an allowance for children from indigent families (based on average per capita family income) until they reach the age of 18. Either of the parents has the right to receive a child-care allowance. The law is geared to improving the conditions in which the children are raised in the family. The draft law is now under review in the Parliament.

Mothers of large families who have given birth to and raised eight or more children, as well as large families who have four or more minor children living together, have the right to receive a special State allowance, irrespective of family income.

Special State benefits are also paid, irrespective of family income, to families and widows of deceased servicemen and responders to radiation accidents and other accidents, as well as to a whole array of other categories of citizens who have various services and benefits from the State.

The average size of the State social benefit in 2003 was 20% larger than that of 1999 and amounted to 3,600 tenge. Nearly 800,000 people receive such benefits.

The country has a system of housing allowances, the size of which and the rules for whose allocation are determined by local representative bodies, and they can set the share of personal expenses exceeding the value of community services at up to 30% of family income. Essentially, the recipients of the housing allowances are pensioners and women with children, who make up more than 200,000 families.

All types of benefits are paid directly through second-tier banks to the personal bank accounts of the recipients of the social payments.

The average pension size is constantly growing and amounted to more than 8,000 tenge in 2004, with the smallest pension at 5,800 tenge.

(b) the right to bank loans, mortgages and other forms of financial credit;

Women and men have equal rights in terms of administering property and obtaining loans and credits. No complaints of any sex-based discrimination have been filed with law-enforcement authorities.

(c) the right to participate in recreational facilities, sports and all aspects of cultural life.

There are no restrictions of any kind on the participation of women in such activities.

Article 14. Rural women

1. States Parties shall take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families, including their work in the non-monetized sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of the present Convention to women in rural areas.

2. States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right:

(a) to participate in the elaboration and implementation of development planning at all levels;

In Kazakhstan, some 43% of the population lives in rural areas. Half of those people are women.

Women are given equal rights with men in all spheres of life and public activity.

Women take an active part in the public life of the village. They have created the Confederation of Businesswomen of Kazakhstan, with chapters in all oblasts of the Republic.

In 2003, the number of women elected as deputies of maslikhats—1,619 (19.8%)—was greater than in previous elections.

Rural women have access equal to that of men to land resources and credits. As a result, in certain oblasts, women have obtained more than half of all personal land shares to set up farms and businesses.

Women's professions in rural areas consist primarily of teacher, medical worker, accountant, economist and seamstress, as well as certain purely farm professions—such as dairymaid, agronomist and veterinarian.

The State Agricultural Food Programme of the Republic of Kazakhstan for 2003–2005 is being implemented, and annually it has been allocated 39.7 billion tenge (in 2003), 49.5 billion tenge (in 2004), and 55.2 billion tenge (in 2005).

The financial support provided to entities of the agroindustrial complex is being given without any form whatsoever of discrimination against women.

To create sound living conditions in the village (aul) on the basis of the optimized rural settlement, the State Programme for Development of Rural Areas for 2004–2010 has been under implementation since 2004. Under that program, for the next three years, nearly 60 billion tenge will be allocated from the Republic budget, including 15 billion tenge annually for funding the construction of rural infrastructure facilities.

At present, the State Programme for Microcrediting in the Republic of Kazakhstan for 2005–2007 is under development. It provides for the creation of conditions that ensure access for small business entities to financial resources and the creation of a microcrediting system.

Within the framework of a three-year programme to support rural areas, work is being done with the UN Gender in Development Bureau and the Union of Businesswomen of Kazakhstan to elevate the economic potential of rural women.

The Republic conference "Women's initiatives for the development of the village" was held, and it discussed the issues of consolidation of efforts, effective participation, and cooperation of three sectors of society.

The conference wrapped up the first Republic Rural Women's Competition, which was held to identify the most acceptable and optimal mechanism for self-sustained survival in the village. The competition had seven categories, and 25 rural women received valuable prizes. The best ideas will be published throughout all of Kazakhstan.

(b) to have access to adequate health care facilities, including information, counselling and services in family planning;

To ensure sound living conditions for rural women, regional programmes are in place for poverty reduction, employment, intensification of the fight against tuberculosis, recovery and rehabilitation of schoolchildren, teenagers, youth of preinduction age, etc.

Priority areas in health care are the improvement of maternal and child health protection and the further enhancement of the material-technical base of primary care facilities. The conditions are being created to attract qualified physicians to

rural areas, and projects are being implemented to build midwife stations that include medical-worker housing.

The number of population centres without a medical worker or a medical structure as of the end of 2003 was about 30, as compared against 1,200 in 1999.

Rural women have the right to free emergency medical services and care, including information and counselling. There are no obstacles preventing rural women from obtaining prenatal care or family planning services from medical organizations.

Under the Ministry of Health order on measures to improve the performance of preventive medical examinations for the rural population aged 18 or older and for children between the ages of 12 and 18, rural inhabitants are provided family planning services. In addition, in all rural areas, primary-care medical workers are provided with clinical reproductive-health protocols that have a large section on family planning.

The main obstacles facing rural inhabitants are remoteness of rural offices from the central rayon hospital, the small assortment of contraceptives in the pharmacy network and the low level of awareness and lack of attentiveness of the people with regard to their health.

In all medical facilities at the rayon, oblast, and Republic levels, rural women are given free contraceptives and free medical services.

(c) to benefit directly from social security programmes;

Beginning 1 January 2005, Kazakhstan will introduce a system of compulsory social insurance against loss of ability to work and loss of breadwinner or job.

There are no restrictions based on sex or place of residence in this area.

(d) to obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as, inter alia, the benefit of all community and extension services, in order to increase their technical proficiency;

In order to improve the status of affairs in the country's economy, special supplemental payments to rural teachers have been restored.

The annual Ak Niet campaign is devoted to rural women. In the context of that campaign, nearly 150,000 women have received assistance totalling nearly 170,000 tenge, more than a thousand women have been taught the fundamentals of business, and the best of them have received the right to the special award of credits. A total of 50 individuals have been trained as trainers to organize "Start your own business" seminars for rural women.

Within the framework of a project that also involves the Union of Businesswomen to maintain the village, work has gotten under way to create a rural women's electronic network.

Together with the UN Gender in Development Bureau and the Swedish consulting firm Språngbrådan, Kazakhstan has begun implementing the project *кношн ас Tomiris: Gender, Leadership and Networking across Borders*, which will last three years. Under that project, individuals will be trained as trainers for resource centres for the economic advancement of rural women.

(e) to organize self-help groups and co-operatives in order to obtain equal access to economic opportunities through employment or self-employment;

Under the Land Code of the Republic of Kazakhstan, men and women are given identical powers to possess, exercise, or dispose of their own land rights.

As a result of the implementation of land reform based on former state farms (nearly 2,000) and collective farms (nearly 500), more than 150,000 peasant (privately owned) farms, 3,700 agricultural business partnerships and joint-stock companies and 1,500 production co-operatives have been set up.

In 2000, Kazakhstan completed the personalization of 2.2 million land shares. A total of 626,400 women were given assistance in full-scale personalization.

(f) to participate in all community activities;

The reform of the State's economy and the privatization of State and collective-farm property have resulted in the absence of collective property, including farm property. At present, credit associations and peasant and household farms are in operation.

As of 1 June 2004, a total of 84 agricultural commodity producers have been created. The total registered capital of the associations created is 1,517.3 million tenge, the number of participants is 2,733, and the area of land cultivated is 5.5 million hectares.

(g) to have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes;

Rural women have access equal to that of men to land resources and credits.

For purposes of ensuring the accessibility of credit resources for rural commodity producers and farm-product processing enterprises, the State joint-stock company Agrarian Credit Corporation was created.

The aim of the Corporation is to implement State programmes for lending to agricultural commodity producers and/or farm-product processing enterprises through a system of rural credit associations created with the participation of the Corporation in their registered capital.

Over the span of 2001–2004, a total of 4.6 billion tenge in credit resources were allocated from the Republic budget for the Corporation for subsequent lending to rural credit associations.

The State Programme of Microcrediting for the poorest citizens of the Republic of Kazakhstan is intended to sustain the rural population. From 2001 through 2003, some 48,300 microcredits totalling 6.7 billion tenge were issued, and two-thirds of them were received by rural women for the creation and expansion of their own businesses.

The Ministry of Agriculture of the Republic of Kazakhstan, together with the World Bank, drafted a project for enhancing the competitiveness of farm products, the main goal of which is to give peasants easier access to commodity markets and to the knowledge needed for successful operations. The total cost of the new programme for sustaining rural inhabitants is \$90 million.

(h) to enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.

Everyday life in the village differs from that in the city, but the situation is gradually improving. Today, virtually all rural residents have electricity, and two-thirds have gas.

If family expenses for housing and public utilities exceed 30% of its (the family's) aggregate income, a housing allowance is given to those in need.

Regional programmes for the development of housing construction for 2005–2007 and for major repair of dilapidated housing and the demolition of emergency dwellings are being implemented. Water supply problems are being resolved in regional Drinking Water-2010 programmes. All the regional programmes were drafted and carried out in conformance with State or sector programmes.

Measures are being taken to improve the gas supply for rural population centres. For example, in 2003, in Mangistau Oblast, the installation of gas service is completed in four rural population centres. This year, plans call for the completion of the gas service installation for an additional three population centres, and construction of the 450 million tenge Zhetybay–Kuryk gas pipeline, with a 62-km intrasettlement distribution system, is to be completed.

In the Republic, 2,818 rural population centres, or 36.8%, do not have telephone service. The State Programme for the Development of Rural Area in the Republic of Kazakhstan for 2004–2010 plans to replace analogue telephone exchanges with digital in 1,773 rural population centres.

Article 15. Equality before the law and civil law

1. States Parties shall accord to women equality with men before the law.

Article 14 of the Constitution of the Republic of Kazakhstan states: "All are equal before the law and the courts."

2. States Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. In particular, they shall give women equal rights to conclude contracts and to administer property and shall treatment them equally in all stages of procedure in courts and tribunals.

The Civil Code does not apportion legal capacity by gender.

Every individual has the right to the protection of the courts and to qualified legal assistance.

2. [sic] States Parties agree that all contracts and all other private instruments of any kind with a legal effect which is directed at restricting the legal capacity of women shall be deemed null and void.

No one may be restricted in terms of legal capacity or legal competence. Questions may be resolved in court only (Civil Code of the Republic of Kazakhstan, articles 26 and 27).

3. [sic] States Parties shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile.

Article 21 of the Constitution of the Republic of Kazakhstan guarantees to every individual who is in the country legally the right to free movement about the country and free choice of place of residence, except in cases specified by law, as well as the right to leave Kazakhstan and return to Kazakhstan unimpeded.

A married woman is free to choose her place of residence.

At the same time, it should be noted that the prevailing law ensuring the functioning of the country's legal system in conformance with the generally recognized principles and standards of international law needs to be further developed. Specifically needed is the passage, as necessary, of new regulations that meet the requirements for the further democratization of society and that satisfy the objectives of Kazakhstan's ensuing socio-economic development.

Article 16. Equality in marriage and family law

1. States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women:

(a) the same right to enter into a marriage;

Republic of Kazakhstan laws on marriage and the family are based on the Constitution, the law on marriage and the family, and other legal and regulatory acts that contain the standards of family law.

Under the law on marriage and the family, a marriage is recognized in Kazakhstan only if it is performed in a civil registry office.

Those wishing to marry undergo, with mutual consent, counselling and a medical examination, as well as a genetic examination for the protection of reproductive health. The examination results can be reported to the person with whom the examinee intends to marry, but only with the consent of the person who has undergone the examination.

Under article 9 of the Republic of Kazakhstan law on marriage and the family, the conditions for entering into a marriage are that both the man and the woman entering into the marriage give their voluntary consent and that both are of marriageable age. The law has not and does not specify any other conditions or requirements for entry into marriage, specifically with regard to paying a dowry or price for the bride.

(b) the same right freely to choose a spouse and to enter into marriage only their free and full consent;

A marriage registered with a civil registry office presumes the equal union of a man and woman, with the free and full consent of the parties. The marriage is performed in the presence of the individuals entering into the marriage. The declaration of entry into marriage and the registration of the marriage are signed by the people getting married.

Under article 11 of the law on marriage and the family, entry into marriage is not allowed between individuals at least one of whom is already in another registered marriage, that is, polygamy is not allowed.

(c) the same rights and responsibilities during marriage and at its dissolution;

Spouses enjoy the same rights and bear equal responsibilities (art. 29 of the law on marriage and the family). Parents have equal rights and bear equal responsibilities with regard to their children (art. 60 of the same law).

The grounds for dissolution of a marriage are identical for women and men. Divorces are registered in civil registry offices solely with the mutual consent of the spouses or on the basis of a court decision.

The rights of men and women in the termination of a marriage are identical, unless otherwise specified in a court decision. If spouses disagree with regard to where minor children will live, the rules for payment of child support and/or support of a disabled spouse and the sizes of such payments, or the division of community property, the court is obliged to settle those matters in the court's ruling on the dissolution of the marriage.

During pregnancy or the first year of a child's life, a marriage cannot be dissolved without the consent of the wife.

The right to petition the court for alimony from a former spouse who has the necessary means to pay is held by the following:

- a former wife during pregnancy or during the first three years after the birth of a child;
- a needy former spouse who is caring for a disabled child born in the former marriage until the child reached 16 years of age, as well as if a disabled child born in the former marriage is designated to be group 1 or 2 disabled;
- a disabled needy former spouse who became disabled before the dissolution of the marriage.

Other standards for the legal protection of women are also in place.

(d) the same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases the interests of the children shall be paramount;

The law on marriage and the family establishes and governs family and marriage relations. Their main principle involves the equality of the rights of the spouses in the family, the priority of the family upbringing of the children and the protection of the rights and interests of minor and disabled family members. A special section in the law is devoted to protection of the rights and interests of children deprived of parental care.

Article 27 of the Constitution of the Republic of Kazakhstan states that "marriage and the family, motherhood, fatherhood and childhood are protected by the State."

Issues of motherhood, fatherhood, the raising and education of children and other issues of family life are resolved by the spouses together.

The cohabitation of a man and a woman without official registration of a marriage does not give rise to rights and responsibilities of spouses. However, parents to an equal extent have rights and bear responsibilities regarding their children born to them inside or outside of wedlock. Parents are obliged to tend to the health of their children, be their legal representatives, and protect their rights and interests without special authorization to do so.

A woman, regardless of her marital status, has identical rights and responsibilities as a parent in matters pertaining to the upbringing of her children. In any case, the interests of the children are paramount.

(e) the same rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise those rights;

Women are free to decide the number and spacing of children they have and have access to the information, education, and means to enable them to exercise that right.

(f) the same rights and responsibilities with regard to guardianship, wardship, trusteeship and adoption of children, or similar institutions where these concepts exist in national legislation; in all cases the interests of the children shall be paramount;

Women have the same rights as men with regard to guardianship, wardship, trusteeship and adoption of children. Under article 29 of the Republic of Kazakhstan law on marriage and the family, issues of motherhood, fatherhood, the upbringing and education of children and other issues of family life are resolved by the spouses together.

Parents who are raising children bear the same responsibility for providing, to the best of their ability, the living conditions necessary for the development of the child. If a parent lives apart from a child, that parent has the right to have a relationship with the child and to participate in the child's upbringing and in decisions relating to the child's receiving an education. The parent with whom the child lives must not hinder the child's relationship with the other parent unless the relationship is contrary to the interests of the child.

Under prevailing law, parents are obliged to care for their children, except in cases in which parental rights are restricted by the court or the parent is deprived of parental rights. However, in that context, the court is entitled to decide the issue of the collection of child support.

The support of children is elaborated by section 3 of the law on marriage and the family, which includes chapter titled "The rights of the child", "The rights and responsibilities of parents" and "Deprivation and restriction of parental rights"; section 4, which includes "Guardianship and wardship", and "Foster care"; and section 5, which includes "Maintenance obligations of parents and children"; and the law on the rights of the child in the Republic of Kazakhstan.

The support of children living with a single parent by the other parent is established by agreement of the parents. If they cannot reach agreement, the dispute is settled in the courts, with the participation of the tutorship and guardianship authorities. The right is governed by chapter 17 of the law on marriage and the family.

The legal regulation of the issues of surrogate motherhood and methods of artificial insemination is defined by Republic of Kazakhstan law and is within the legal purview of the Ministry of Health. Neither the surrogate mother nor the spouses who give consent to the implantation of the embryo in the other women are entitled to cite those circumstances when motherhood or fatherhood is contested after the parents have been recorded in the birth registry.

(g) the same personal rights as husband and wife, including the right to choose a family name, a profession and an occupation;

When a marriage is entered into, the spouses choose the surname of one of them, if they wish, as the common family name or each of the spouses keeps his or her premarital name, or the name of one spouse is combined with that of the other.

The child's name is determined by the surname of the parents. If the parents have different names, the child is given either the father's name or the mother's name, as the parents decide. Differences that arise over the surname of the child are resolved by the parents in court.

Spouses are free to choose their occupation and profession. A woman's marital status does not prejudice that. Women, of their own free will, exercise their rights on their own, regardless of circumstance. Restrictions or prohibition is possible solely by decision of the courts.

(h) the same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration.

Property acquired by spouses during their marriage is their common property (art. 32 of the law on marriage and the family). Questions regarding the ownership, management disposition of the common property are decided by mutual agreement of the spouses. If one of the spouses performs a transaction involving the disposition of common property, the consent of the other spouse is presumed. A transaction concluded by one of the spouses involving the disposition of common property may be nullified by a court on the grounds of the lack of consent by the other spouse only at the request of that spouse and only in those cases in which it is proved that the other party to the transaction knew or should have known of the lack of consent of the other spouse to the transaction (art. 33, law on marriage and the family).

The common property of the spouses may be divided between the spouses with their agreement. In the event of a dispute, the court divides the common property of the spouses and determines the spouses' shares of that property.

A spouse who, during the marriage, because he or she did the housekeeping, cared for the children, or for other legitimate reasons, had no income of his or her own, has an equal right to the common property in a divorce.

Property relations between men and women that are not governed by family law are governed by civil law, since civil law is not at variance with the essence of family relations.

Cohabitation of a man and a woman without the registration of a marriage and the severance of such relations do not give rise to the rights and responsibilities of spouses regarding property.

The betrothal and the marriage of a child has no legal effect. All necessary action, including legislation, is taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.

The law on marriage and the family establishes the age for marriage for men and for women to be 18. If there are legitimate reasons, civil registry authorities may lower the age for marriage by no more than two years.

There is no concept in Republic of Kazakhstan law for the "marriage of a child".

Marriage registration and divorce are performed in a State civil registry office. Article 182 of the law on marriage and the family establishes the procedures for registering a marriage with a civil registry office.

Clarification of prevailing law is done through the mass media, during counselling, and when a marriage application is received.

The law of the country does not provide for levirate.

In conclusion, we can say that the results of the consideration of the initial report of Kazakhstan regarding compliance with the UN Convention on the Elimination of All Forms of Discrimination against Women at the CEDAW meeting were reported to the head of State and the prime minister of the country.

A press conference was arranged for the mass media. The final CEDAW recommendations based on the initial report were considered at conferences, seminars, and meeting of the National Commission for Family and Women under the President of the Republic of Kazakhstan were brought to the attention of all ministries and departments and most women's NGOs.

Many recommendations have already been complied with or are in the process of being complied with.

Annex

List of legal and regulatory acts cited in the report

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Law of the Republic of Kazakhstan No. 490-1 on physical culture and sports (with amendments incorporated by the Republic of Kazakhstan law No. 471-II, of 4 July 2003), of 2 December 1999

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Order of the Ministry of Education and Science of the Republic of Kazakhstan No. 697, of 25 September 2002, and the Ministry of Environmental Protection No. 229-p, of 24 September 2002, on approval of the Concept of Environmental Education of the Republic of Kazakhstan

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Memorandum on Further Cooperation between the National Commission for Women and the Family and the Closed Joint-Stock Company Small Business Development Fund, of 29 May 2003
