

**NGO Statement to the
Committee for the Elimination of All Forms of
Discrimination against Women on the
Combined Initial, Second and Third Periodic Report from the Government of
Tajikistan
January 22, 2007**

Thank you Madam Chair for giving us the opportunity to address the Committee.

I am, Tatiana Bozrikova, Chairwoman of Public Foundation "Panorama" and Alla Kuvatova, Chairperson of Woman's NGO "Traditions and Modernity" on behalf of 25 NGOs and 12 Crisis Centers in Tajikistan will present Shadow Report on realization of CEDAW. Our Shadow Report was discussed at the round tables in 5 regions of the country with participation of representatives from 103 local NGOs, state institutions, mass-media, international and religious organizations. Final version of this report with recommendations was presented at 3d Forum of Tajikistan's Women's NGOs.

The main problems on guaranteeing actual equality to women as to men in Tajikistan are stated in details in the submitted report and in its executive summary. In our presentation, we shall highlight several key issues:

- Absence of effective institutional mechanisms on realization of proclaimed state gender policy (Articles 1-3 of the CEDAW)
- Absence of any national independent women's human rights institution in Tajikistan (Articles 2-3)
- Gender stereotypes and family relations including polygamy problem (Article 5, 16)
- Decreasing level of women education (Article 10)
- Problems of violence against women

1. Absence of effective institutional mechanisms on realization of proclaimed state gender policy

The main obstacles on this path are the following:

a) Imperfection of legislative base

Law of the Republic of Tajikistan «On State Guarantees of Equality between Men and Women and Equal Opportunities for Their Realization» was passed.

However the mechanisms providing realization of the given guarantees in the Law are not provided, and in reality as it is reflected below in materials of Articles, men and women have not equal opportunities and in these spheres gender imbalance is obvious.

b) Weak introduction of gender approaches into the basic economic strategies of the state

c) Limitations and weakness of institutional mechanisms of gender policy

Realization of gender policy is assigned to the Committee on Women and Family Affairs under the Government of the Republic of Tajikistan. But by virtue of its status and potential opportunities, the Committee without support and vigorous activity of Ministries cannot execute the assigned mission. It is necessary to have in mind that the policy in relevant branches is defined by Ministries, not by the Committee.

d) Lack of continuous monitoring and confirmed system of indicators on promotion of women, changing gender roles

Insufficient statistical base by gender and system of data gathering limits opportunities of the gender analysis.

2. Absence of any national independent women's human rights institution in Tajikistan

Human rights are included into the competence of a broad range of state organs. But no structure leads valid work on women complaints concerning their rights violation.

There is sharp need for establishing of an institution for women rights in Tajikistan.

Tajikistan until now didn't ratify Optional Protocol to the Convention on Elimination of All Forms of Discrimination against Women signed by the President RT in September 7, 2000.

3. Gender stereotypes and family relations including polygamy problem

The practical validity is characterized by the obvious contradiction between the proclaimed state gender policy directed to increasing status of woman in their society, achievement of actual equality and generally accepted traditions of gender roles.

Opportunities of the education system are poorly used. There are no mechanisms of conducting gender examination of textbooks for schools and other educational institutions. For today only three textbooks had been analyzed on gender (History and two English textbooks).

Introduction in curricula of high schools and special schools of the republics courses on problems of social relations between men and women, stipulated in Strategic Goal 1 of the State program is carried out slowly. Out of 35 high schools of the republic, only in 6 school curricula, courses on gender problems are included.

Gender stereotypes are playing particular influence in the sphere of family relations including polygamy problem.

Polygamy is a controversial issue. Legislation of the Republic of Tajikistan officially prohibits polygamy; however, in life such cases are frequently noted. Results of researches show that among the reasons of women's consent for being second wives mostly compelled positions of women and economic difficulties are distinguished. On the contrary, men most often have no economic problems.

The problem of polygamy is becoming aggravated; rights of both, the first and the second wives are routinely violated. The growth of the number of second wives from among young girls is a cause for concern.

There is no common opinion concerning polygamy in the society, in particular its condemnation, because traditional religions and customs (Islam) recognize polygamy.

In these conditions it's important to discuss with religious leaders the issue of marriage based on Muslim tradition "nikoch" only after receiving the certificate of the civilian registrar's office and conducting accounting system of all Muslim marriages. NGOs should conduct information campaigns on polygamy issues in the context of women human rights.

4. Decreasing level of women education

The higher level of education, the lower is the representation of women. While girls make 47% of students in grades 7, in grade 11 they make only 39%. The situation

is more acute in rural area. Among university students, girls make up only about 25% of the total student population. Functional illiteracy is growing, particularly among women.

At the same time, level of women's education defines in the future their social status, involvement into decision-making processes, affects on economic activism and promotion in the sphere of employment.

5. Problems of violence against women

Unfortunately, there are no special state institutions dealing with issues of violence in family, which would be capable to offer support to victims in republic. So far, there is no passed law regulating problems of violence in family.

Though, practically every fourth victim has experienced violence caused by members of family (husband, parents, brothers, roommates, etc.). The analysis of the registered cases of domestic violence establishes a significant wide range of forms of violence and prevalence of such form as deliberate assault and batter and beatings (82%). However, each second case of deliberate assault and batter and beating in family is committed by husband.

Among condemned persons under Article 117 (torture), and 116 (beatings) husbands overwhelm in committing violence (accordingly 75% and 83,3%).

Within five years based on database, 17676 persons have addressed to Crisis Centres, among whom 77.2% are women.

The proportion of violence by types is precisely fixed. Appealed cases regarding psychological violence are in first place (58,7%), followed by physical (20,2%) and economic ones (20,1%).

The existing criminal and administrative legislation do not provide features of definition and punishment for «domestic violence». The psychological violence, for example, is not referred as violence at all in criminal law. Practically, mental trauma caused by threat is not taken into account in the criminal law, though it can cause not lesser harm to health of a person than physical violence.

NGO Recommendations on all these issues are presented in Shadow Report and in the Executive Summary.