

Report of OSCE Special Representative on Gender Issues on visit to Kazakhstan
June 19-21, 2012

Following an expert workshop on National Human Rights Institutions (NHRI) and Gender Equality in Almaty, organized by ODIHR in collaboration with the Kazakhstan Ministry of Foreign Affairs, the OSCE Centre in Astana organized a day of visits with government officials in Astana. The Special Representative expresses great appreciation to the Ministry of Foreign Affairs in Kazakhstan for their warm welcome and full cooperation and participation in this brief visit. The Special Representative gives a special note of thanks to Kazakhstan as it was under their chairmanship that the position of Special Representative on Gender Issues was created. The Special Representative would also like to express appreciation to the OSCE Centre in Astana for organizing an informative and full program of meetings during my visit.

I had an opportunity to engage in substantive discussions with the Ministry of Foreign Affairs, the National Commission on Women and Family—Demographic Politics and several members of Parliament. In Almaty, I also met with the Ministry of Foreign Affairs and NGO representatives who attended the NHRI Workshop. These meetings provided an overview of the status of women and women's rights in Kazakhstan. The Ministry of Foreign Affairs proudly pointed to the standing of Kazakhstan on international indicators on gender equality. For example, Kazakhstan ranked #44 in the World Economic Forum report in 2010 on the Gender Gap and this year ranked #33 in the Social Watch Equality Index, rising 8 places from the prior year. The National Commission, established in 1995 around the UN World Conference on Women in Beijing, was among the first government structure dedicated exclusively to gender equality in a former Soviet state.

My meetings were far ranging, including the implementation of CEDAW, Security Council Resolution 1325, representation of women in political office and social, economic and employment issues. However, my discussions focused primarily on the issue of domestic violence, a priority this year for the Chairperson-in-Office, and the issue of sexual harassment, which was under current discussion in Kazakhstan.

Employment Discrimination/Sexual Harassment

Kazakhstan has laws providing for equal opportunities in employment for women and men and prohibiting discrimination against women. Its law on "Equal Rights and Equal Opportunities for Women and Men" was adopted in December, 2009. However, several gaps in the law were discussed. For example, the prohibition on discrimination does not extend to the private sector. In discussions with several women members of Parliament, interest was expressed in exploring mechanisms, including a study of how the law might be expanded to cover the private sector.

The issue of sexual harassment was also discussed with representatives of NGOs and several women members of Parliament. Sexual harassment is not specifically prohibited by law. This is one of the top priorities for some women's NGOs. They reported that they have documented instances of such harassment in schools and the workplace and have helped to generate public attention in the media. Several parliamentarians and NGO representatives suggested that more education of the public and members of Parliament is needed to better understand the nature, seriousness and frequency of sexual

harassment. Some approaches discussed to achieve this include public hearings, hearings in the Parliament, public roundtables, and more discussion in the media.

Domestic Violence

Kazakhstan has a relatively comprehensive domestic violence law adopted in 2009. It provides legal protection for victims of domestic violence, establishes crisis centers and provides for training for law enforcement and other personnel. The representative of the National Commission reported that 28 rehabilitation centers have been established and 20 of these serve victims of domestic violence. However, according to a recent report prepared by several local NGOs, including Podrugi, Union of Crisis Centers and the Feminist League, only a few of these centers serve victims of domestic violence. Most serve people with other problems such as alcohol addiction and victims of trafficking and other concerns.

Recommendations

- The government is advised to undertake a study on the status of women employees in the private sector and explore mechanisms for advancing non-discrimination and gender equity, such as gender disaggregated data collection and non-discrimination requirements for government contractors.
- The government is advised to provide sufficient shelter services for victims of domestic violence and conduct training for police and social service professionals.
- The government and Parliament are advised to convene public hearings in various parts of the country to document sexual harassment and discuss approaches to addressing the problem. The OSCE Centre in Astana should consider supporting a research project that documents best practices for addressing sexual harassment.
- The government and Parliament are advised to consider the adoption of amendments to strengthen the laws adopted in 2009 on Prevention of Domestic Violence and the Law on Equal Rights and Equal Opportunities for Women and Men.

List of government representatives who met with Ms. June Zeitlin

- Ministry of Foreign Affairs:
 - Mr. Igor Musalimov, Representative in Almaty
 - Mr. Usen Suleimenov, Ambassador at Large

- Meeting with several women parliamentarians including Ms. Rashida Naubetova, Secretary of the National Commission on Women and Family-Demographic Politics