

A Comparative Study: Women's Rights in Kazakhstan, Uzbekistan, and Tajikistan

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A COMPARATIVE STUDY:
WOMEN'S RIGHTS IN KAZAKHSTAN, UZBEKISTAN, AND TAJIKISTAN

by

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A thesis submitted in partial fulfillment of the requirements
for the Honors in the Major Program in Political Science
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Abstract

After 1991 five countries emerged out of the fall of the Soviet Union to create a new region: Central Asia. No longer dominated by Soviet rule these countries fought to overcome barriers to independence and struggled to be seen by the international community as developed countries. However, these countries were far from developed and had to pay the high cost of human rights to get what they desired. This study researches and analyzes how Kazakhstan, Uzbekistan, and Tajikistan have traded the rights of women to achieve a placebo of development. Two of the largest violations of women's rights that have manifested because of the government's direct actions are domestic abuse and sex trafficking. The government's structure and leadership, the economic opportunity for women, and the cultural acceptance have all been orchestrated by the government to create a society where women's rights are unheard of. The actions taken by the three governments seem extensive on paper and international covenants yet are never implemented to help society.

Through this research women's rights in the Central Asian countries of Kazakhstan, Uzbekistan, and Tajikistan are examined through the prevalence and acceptance of both domestic violence and sex trafficking. The international conventions, domestic policies, and actions taken by political leaders are examined to better understand the underlying reasons that contribute to the persistence of these attitudes.

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Introduction

Politics is essentially the playground of adulthood. It's where sides are picked, conflicts arise, and games are played. When handled correctly politics can lead to some of the most forward-moving and innovative solutions to humanity's oldest problems. However, when they are used for the good of a few, the playground tactics begin. One such analogy comes from the beloved game of hide-and-seek. In order to stay 'it' the longest the child never makes any real attempt to find those in hiding. In the same way, in order to stay in power the longest, the Central Asian governments have failed to seek out and protect their women. The individuals in power would rather keep stability within their own countries than help women out of physically and sexually abusive situations. This is but just one reason why it is such a unique region.

Two additional reasons why the Central Asian region is unique in terms of women's rights is its history and geographical location. In 1991 the Soviet Union dissolved and the Central Asian region came into being. Therefore the five countries within are fairly young and attempting to keep up with a changing international arena. In addition, the countries are in the middle of the Eurasian continent which makes them valuable to all world powers for security. These two reasons create unique challenges to women's rights and are why this region was chosen to be studied. No other region is so impressionable, strategic, or plagued by human rights violations.

Within the region the countries of Kazakhstan, Uzbekistan, and Tajikistan are analyzed because they represent the stages of development both politically and economically. Kazakhstan is the regional power both economically and politically. It is the most stable of the Central Asian

region and has the most to offer the international community. Uzbekistan is similar to Kazakhstan politically yet economically the practice of state-sponsored forced labor makes it a valuable case study. Lastly, the country of Tajikistan ranks in the lower tier both politically and economically with Kyrgyzstan and Turkmenistan. Therefore each of these countries are at a different stage in development which should be reflected in their status of women's rights.

In order to measure women's rights within each country the acceptance and prevalence of both domestic violence and sex trafficking are measured. These two dependent variables are indicative of the women's rights because they reflect three truths about women in the region. First, they reveal the government instated culture that appeared after independence in 1991. In order to unify the newly formed countries and separate them from their Soviet past the governments resuscitated past cultures. These cultures, which advocate for the submission of women at any cost, are still prevalent today. Secondly, the prevalence of domestic violence and sex trafficking are reflective of the government economic policies within each country. Women fall victim to both practices when their economic options are bleak and the government fails to sustain them when they cannot get jobs. Thus, how the government treats women in the economic sector directly affects the prevalence of domestic violence and sex trafficking. Lastly, the two practices reflect how the state handles the threat of religious extremism. The distinctive geographical location of the countries puts them as next door neighbors to some of the worst breeding grounds for radical Islam. Therefore, the governments are prone to forgo human rights in order to keep the state secure from religious extremists. This study seeks to examine how the governments' reaction to the threat of religious extremism, the economic opportunity they grant

to women, and the government instated culture result in the prevalence and acceptance of domestic violence and sex trafficking.

In order to conduct this study on women's rights in Central Asia a thorough review of the literature was necessary. The research for this thesis included multiple articles, books, and research papers from a variety perspectives. Although many different fields had analyzed women's rights in Central Asia, such as sociology, political science, and ethnology, there was an evident gap in the literature. The problems being experienced by women in Central Asia were not constrained to one academic perspective. This is because the actions taken by the governments since 1991 had crossed from politics to society. However, there was a lack of articles that traced the current social problems back to their political roots. Therefore, this study seeks to fill that gap by using political science articles and supplementing them with sociological articles in order to paint the full picture.

Based off of the three independent variables (government-instated culture, economic opportunity, threat of religious extremism) found in the literature a hypothesis can be reached about the state of women's rights in each country. First we can predict that the government of Kazakhstan will guarantee the most rights for women based off of low religious extremism, moderate cultural acceptance, and high economic opportunity. Uzbekistan will ensure moderate rights for women based off of a higher threat of religious extremism, cultural acceptance, and lower economic opportunity. Tajikistan will have the lowest granted rights for women based off of high religious extremism, cultural acceptance, and little economic opportunity.

Kazakhstan: Women's Rights

Background

History

Kazakhstan lies at the heart of the Eurasian continent and has therefore constantly been at the mercies of East and West conflicts. As a part of the Soviet Union from 1920 to 1990 it underwent both the Virgin Lands Project and nuclear testing. These both directly lead to a sharp rise in ethnocentrism between ethnic Kazaks and Russiansⁱ. This all cumulated in 1991 when Kazakhstan declared political independence from the Soviet Union and elected Nursultan Nazarbayev as president. After independence, Kazakhstan started to build relations with other states. In 1992 they joined the United Nations and the Conference on Security and Cooperation in Europeⁱ. Then in 1993 they ratified the Treaty on Non-Proliferation of Nuclear Weaponsⁱ. Kazakhstan continued to build on their new relations with both the East and the West until the end of the twentieth century. In a sudden change, President Nazarbayev began to repress political expression. Beginning in 2001 the Democratic Choice Reform Movement began to come under attack by the administration. Political figures were killed and critics of the president were jailed for false crimes. This all pinnacled when in 2005 the Court called for the dissolution of the Democratic Choice Movementⁱ. In addition, Kazakhstan had also recently signed a deal with China in 2005 about the construction of an oil pipeline. In May of 2007 the parliament voted to allow President Nazarbayev to stay for an unlimited amount of termsⁱ. The President's control of the government was by now evident to everyone. Thus, in 2009 it was declared that chat rooms, blogs and public forums were mass media and sharing a 'wrong' opinion on them was considered a breach of the lawⁱ.

Demography

Kazakhstan, according to the most recent statistics, is a surprisingly homogenous population despite its geographical location. Currently 63.1% of the population is an ethnic Kazakh while 23.7% are Russianⁱⁱ. This is explained by the lack of emigration of ethnic Kazakhs and the forcible immigration of Russians to help with the Virgin Lands campaign during 1954-1962. This also helps clarify the nationalistic sentiments that still cut deep into society. What started as political violence between Kazakhs and Russians in 1986 has since escalated to ethnic tensions that have been felt up until 2011ⁱ.

Another homogenous aspect of the Kazak culture is the religious composition. The vast majority, 70.2% of Kazaks, is Muslim and while 26.2% are Christiansⁱⁱ. This homogeneity can be explained by the geographical location of Kazakhstan. To the north and east Kazakhstan borders Russia and Eastern Europe, which have had a substantial influence over Kazakhstan's Russian Orthodox population. Then from the South, the Middle East has held an influence over the Muslim Kazakhstanis. Another important aspect to the Kazakhstani demography is the gender ratios. On average there are approximately 100 females for every 92 malesⁱⁱ. This is crucial to this study because the surplus of women will lead to more unmarried women being susceptible to trafficking and married women having fewer choices for partners.

Government

The government of Kazakhstan is a civil law system based upon Roman-Germanic law and influenced by the Russian Federationⁱⁱ. It is composed of an executive, legislative and judicial branch, with little power lying outside of the executive branch. Thus, President

Nazarbayev is the first President of Kazakhstan and he is the only person who can stay in office for an unlimited amount of terms. The legislative branch is a bicameral parliament which is divided into the Senate and the Mazhilisⁱⁱ. The senate is composed of 47 seats with 15 of them being chosen by the president and the rest chosen by local assemblies. Of the Mazhilis, nine are chosen by a presidentially appointed committee to represent the ethnic minorities while the others are popularly elected. In the Judicial Branch the Supreme Court Judges are recommended by the President and confirmed by the senateⁱⁱ. Overwhelmingly, it is obvious that President Nazarbayev has a lot of influence over the other government officials.

Society

Domestic Abuse

Domestic abuse reveals two persisting ideas about women within the Kazakhstani culture. First, in order to properly understand the ongoing crisis it's necessary to look at it from all viewpoints in Kazakhstan. One of the most prevailing viewpoints can be seen from the Society for Muslim Women, a non-profit organization in Kazakhstan for Muslim women. One of the dominant characteristics of their organization is a belief that domestic violence is a private issue, and that the state does not need to be involvedⁱⁱⁱ. This is fundamental because this belief is held among most Muslims and does not encourage seeking professional help; rather it focuses on restoring the marriage. The organization's typical method is to shelter the women in their offices as the workers confront the husbands about their abuseⁱⁱⁱ. Yet despite everything that they see, they always encourage the women that divorce is not the right way. This is very different from the belief in the western culture that an abusive husband should be separated from his wife.

Another reason why domestic abuse has persisted in Kazakhstan is because it is viewed as an acceptable form of punishment in a marital relationship. This reveals how the society views reprimanding women who do not fulfill traditional gender roles. In a survey both men and women in Kazakhstan were asked about situations where it was acceptable to physically abuse the wife for her mistakes. Surprisingly a substantial portion of both men and women agreed that as a rebuke domestic violence was acceptable in some instances^{iv}. The degree of acceptability depended on the mistake with the least acceptable reason being when the wife burnt the food and the most acceptable reason being neglecting the children^{iv}. 26.1% of women agreed along with 22.1% of men that if a wife was neglecting the children the husband was justified to physically abuse her^{iv}. However, the most interesting finding of this case was that among the Kazakhstanis surveyed, the women believed that domestic abuse was justifiable more often than men. Approximately 30.1% of women believed that wife beating was acceptable compared to 27.1% of men^{iv}. Thus domestic abuse is a problem partially because the women believe that it is a viable way to be reprimanded and the men see it as a solution to a problem.

These two attributes of domestic violence—the acceptability and secrecy—are the main challenges that the government will have to overcome in order to stop this atrocity. Until 2009 the Kazakhstani government had not acted at all with regards to stopping domestic abuse. Yet now because of current pressures from Non-Governmental Organizations they have taken a stance. Kazakhstan’s Ambassador-at-Large, Madina Jarbussynova, has sang the praises of Kazakhstan’s initiative to enact ‘On Prevention of Domestic Violence’ in 2009^v. However, all the government documents and press releases are quite misleading, because the problem of domestic violence has actually gotten worse since their implementation. According to the

Department of State in 2013 one in four families in Kazakhstan suffered from some form of domestic abuse^{vi}. Also, it's been noted that the women in domestic abuse situations often don't report their husbands due to fear, economic insecurity, or societal beliefs. And to make things worse, the police only intervene in a dispute if they believe that it is life threatening; if it isn't they do not encourage the woman to pursue a case^{vi}. This in effect is detrimental to the Kazakhstani government in other ways. For example, approximately 68% of female inmates are imprisoned because of charges relating to domestic violence^{vii}. This proves that a practice that is considered a 'family problem' can have ripple effects that are felt in the other sectors.

Sex Trafficking

The second major violation of women's rights seen in Kazakhstan is sex trafficking. As the profitability of women and girls for sexual acts grows there is a higher demand for forced prostitution and forced pornography. Both have had tragic effects on the rights of women in Kazakhstan. Sex trafficking in Kazakhstan mainly involves the importation of women from other countries, as well as exporting Kazakh women to different states throughout Asia and Europe^{viii}. This is very common and the 2013 Trafficking in Persons Report even described Kazakhstan as a destination, source, and transit state^{viii}. As for pornography, the practice of child pornography is a continuing issue in Kazakhstan. Although there is child pornography produced within the state, most of it is imported from Russiaⁱⁱ.

Unique to Kazakhstan, sex trafficking also includes the traditional practice of bride kidnapping. This entails a man kidnapping a woman and then forcing her to marry him without any prior arrangement or meeting. Although Bride Kidnapping can be a consensual ritual, today

the women are unsuspecting and forced into marriage^{ix}. The family of the ‘bride’ usually consents after being paid a large sum of money^x. Thus since this form of trafficking is often settled by the families, the kidnapper, in 51% of cases, escapes any conviction^{vi}.

One of the obstacles that the Kazakh government is facing in attempt to overcome sex trafficking is unaccountable government officials. It is unknown about the exact level of involvement of top politicians in the sex industry, but it’s estimated that many are involved^{viii}. This involvement has been noted by victims of trafficking who have reported regularly seeing government officials at brothels who use forced prostitution^{viii}. Another type of involvement is by border officials who knowingly allow trafficked persons into the state^{vii}. Also, many law enforcement officers are known to abuse the situation^{viii}. The law enforcement officers’ abuse ranges from encouraging trafficked brides to not pursue justice, to protecting traffickers, and even helping transport forced prostitutes to brothels^{viii}. This is alarming, and the state is neglecting any connection between government employees and sex trafficking.

However, despite the late start and many obstacles, the Kazakh government has made great strides in combating human trafficking. Kazakhstan is now providing training for law enforcement and education for high school and college students^{xi}. This will help to better educate both parties to recognize signs of trafficking and to prevent them from being trafficked. The government has also ratified the U.N. convention against human trafficking, amended criminal codes to use against traffickers, and created a deputy prime minister to deal with trafficking^{xi}. Lastly, probably the most significant step that Kazakhstan has taken was the Interagency Trafficking in Persons Working Group. This group reports quarterly on their activities that were

assigned under the 201012-2013 Trafficking in Person National Plan^{viii}. This will help to both provide accountability for government officials as well as help efficiency in combating human trafficking.

Conclusion

Conclusively, both domestic abuse and sex trafficking are issues for women in Kazakhstan. The government has been slowly starting to combat both and has progressed greatly. However, these practices will be difficult to completely eradicate because of their prevalence, acceptability, and secrecy. However, if Kazakhstan manages to bring the law enforcement and officials to the standards set in their acts, they will be able to stop both domestic violence and sex trafficking.

ⁱ BBC. *Timeline: Kazakhstan*. 31 January 2012. Web.

ⁱⁱ United States. Central Intelligence Agency. *The World Factbook: Kazakhstan*. Web. 2014.

ⁱⁱⁱ Snajdr, Edward, "Gender, power, and the performance of justice: Muslim women's responses to domestic violence in Kazakhstan," *American Ethnologist*. Vol. 32 Issue 2, May 2005, pp. 294-311

^{iv} Rani, Manju and Bonu, Sekhar, "Attitudes toward wife beating," *Journal of Interpersonal Violence*. Vol 24 pp. 1381 8 August 2009

^v Jarbussynova, Madina, ed. *54th session of the Commission on the Status of Women: New York, 3 March 2010*. New York: Permanent Mission of the Republic of Kazakhstan to the United Nations. N.d. Web.

- ^{vi} United States. Department of State, Bureau of Democracy, Human Rights and Labor.
Kazakhstan 2013 Human Rights Report. 2013. Web.
- ^{vii} “Violence Against Women in Kazakhstan” *Stop Violence Against Women*. The Advocates for Human Rights. Web. 2010.
- ^{viii} United States. Department of State. *Kazakhstan, 2013 Trafficking in Persons Report*. 2013. Web.
- ^{ix} “Kazakh ‘Bridenapping’ Caught On Video,” Radio Free Europe Radio Liberty, 9 December 2013. Web. 30 March 2016
- ^x Gayle, Damien. “Kidnapped and dragged to a forced wedding: Kazak bride screams as she is bundled out of car at new husband’s home...as wedding music plays in background,” *DailyMail*. 14 October 2014. Web. 29 March 2016.
- ^{xi} “Kazakhstan,” The Protection Project. A Human Rights Report on Trafficking in Persons, Especially Women and Children. July 2009, pp. 1-3

Uzbekistan: Women's Rights

Background

History

The demise of the Soviet Union in 1991 had various consequences that affected the region as well as the world. One of these was the creation of several new states including Uzbekistan, which followed the suit of the other states who declared independence. The political sphere has been drenched with oppression and control since its creation. The election of Islam Karimov as president in 1991 was not surprising seeing as he rose to power through the Soviet Union's State Planning Committeeⁱ. Shortly after his ascension he began the vast repression of other political parties—only a year after his election he banned two political parties, and arrested many for anti-state activitiesⁱⁱ. This pattern continued throughout the rest of the twentieth century. In both 1995 and then later in 2002, he lengthened the amount of time that a president could be in officeⁱⁱ. Ultimately both of these regulations have been amended seeing as he has yet to leave office since 1991. However, with the turn of the twenty-first century the government was facing a more pressing issue than political repression. In 1999, the Islamic Movement of Uzbekistan (IMU) declared jihad on Uzbekistan, set bombs that killed dozens, and began fighting the Uzbekistan government forcesⁱⁱ. Their threat has been constant throughout the past two decades and the Uzbekistani government is still attempting to contain them. Alongside the religious extremism from the IMU, the population of Uzbekistan is also suffering from limits on political rights. In 2000, Karimov was elected president again in an election that was called 'neither free nor fair'ⁱⁱ. Uzbekistan has faced reoccurring criticisms for their human rights abuses from international actors such as the EBRD and the EU. Yet, they continue to use violence to

suppress political expression as well as the IMU movement. This all culminated in 2005 with the Andijan killings where inmates were let free by gunmen and the police respond by firing into a crowd of Uzbekistani citizens. In November of the same year the Uzbekistan Supreme Court convicted 15 men for the crimeⁱⁱ. The human rights abuses and an inner power struggle continue until present day and in March of 2015 Karimov was reelected as president with 90% of the voteⁱⁱ.

Demography

Uzbekistan is an ethnically homogenous population but still has some diversity. Overwhelmingly, Uzbekistan's population is comprised of Uzbeks (greater than 70%) with the next highest ethnic group being Russian with close to 8%ⁱⁱⁱ. However, ethnic tension within the state has been building between different groups. Between the Uzbeks and Russians tension is growing as their relationship is one built off of 'fear, colonial dominance, and a vast difference in values and norms'ⁱⁱⁱ. There is also conflict between the Uzbeks, Tajiks, and Kyrgyz within the state that has escalated after the Soviet dissolutionⁱⁱⁱ.

Another important aspect of the Uzbekistani culture is religion. The vast majority of the population is Muslim (93%) with the largest sect following the Hanfi School within the Sunni tradition^{iv}. The next largest percentage of religious groups is Russian Orthodox with 4%, yet this number is declining with the emigration of ethnic Russians and Slavs^{iv}. The state highly regulates all religion in order to prevent an overthrow of the secular authorities as well as to avoid ethnic instability^{iv}. They have even gone as far as to define the right beliefs attributed to Islam in order to 'distinguish the "right" kind of believer'^v. One of the main reasons Islam is so

popular is that after independence the government used Islam not only to build a national identity but also as a means for ‘solidifying and legitimating its monopoly on power’^v.

Government

Uzbekistan is a republic government with bicameral supreme assembly which consists of the senate and legislative chamber^{vi}. The judicial authority is divided into court systems based upon the nature of the case with the highest court being the Supreme Court of the Republic of Uzbekistan^{vi}. The Head of State is President Islom Karimov and the Head of Government is Prime Minister Shavkat who was appointed in December of 2003^{vi}. President Karimov has been in power since 1989 and has extended his term multiple times through what has been termed as ‘sham elections’ⁱ. It’s been noted that power in Uzbekistan is held solely by him with the parliament carrying little weight^l. The constitution was adopted in December of 1992 and the Uzbekistan Consulate in New York has noted that ‘60 of the 128 articles are devoted to the legal status of Uzbekistan’s people and citizens...This is clear evidence of the country’s orientation, in which human beings are of great and principle value’^{vii}.

Female participation in Uzbekistan can be seen through Karimov’s daughters and parliament. The parliament currently is 22% female which is not representative of the general population^{vi}. Karimov has three children, his two daughters, Gulnara Karimova and Lola Karimova-Tillyaeva and his son Petr Karimov. Lola Karimova-Tillyaeva has been active as the envoy to UNESCO as well as leading two non-profits for children with disabilities and orphans^{viii}. His other daughter, Gulnara Karimova was set to be his heir until 2013 when she was charged with being in a crime ring and thus was put under house arrest^l. This is directly different

from Kazakhstan when Dariga Nazarbayeva went without fault whereas Karimova took the fall. Her downfall, which may be a result of a power struggle with the Uzbek head of security forces, now leaves President Karimov without a successor.

Society

Domestic Abuse

Domestic violence has been a continuing issue that Uzbekistan has paid little attention to. The government has continued to look away for both national and cultural issues. Nationally, such a young state as Uzbekistan has tried hard to look good in international reports. This includes making family life attractive through a low divorce rate^{ix}. Another component is a low domestic violence rate among the population. In order to achieve this, the government has simply not collected any information on domestic violence reports or cases^x. Therefore, since the government denies the issue, they have been able to claim that the 'new national identity' counts women as equals^{ix}. However it is evident that the women do not have the same rights as men. This hypocrisy was noted by the UN who has claimed that 'women do not have equal status with men in Uzbek society due to prevalent patriarchal prejudices and stereotypes concerning the role of women,'^{xi}. Accordingly, domestic violence ensues because the government of Uzbekistan does nothing to prevent or rescue women.

Another reason that domestic violence persists is because of cultural acceptance. Although there are no government statistics, other information gathered suggests that domestic violence against the wife is common^x. One survey in the 1990s even revealed that as many as 60% of women were being abused^x. One of the reasons this has continued is because domestic

abuse is culturally viewed as an issue to be dealt with by the family unit—it's a personal affair, not a criminal act^x. Thus when reporting the problems to the police they are often told to keep it within the family. Besides the rejection from the police, the victims of domestic violence in Uzbekistan are also shamed by their families and communities for publicizing the violence and are seen as bringing shame to their families^{xii}. Women in these situations because of societal norms have little hope for escaping domestic abuse. The government has no shelters and any Non-Governmental Organization that does is under scrutiny by the government who is not only distrustful of them but blames them for 'importing elements of an alien, western culture'^{xii}.

The government's reaction to the ongoing problem of domestic violence has been painstakingly slow and even absent. Internationally, Uzbekistan ratified the United Nations Convention on the Elimination of All forms of Discrimination Against Women in 1996^{xii}. However, CEDAW and other international actors have continued to urge Uzbekistan to do more. To this date Uzbekistan still does not have any law against domestic violence^{xiii}. They also do not provide shelters or hotlines for domestic abuse victims^x. In addition, prominent female politicians such as Diloram Tashmammedova and Farida Akbarova have even denied that domestic violence is a problem in Uzbekistan^{xiii}. All in all the government has done nothing to help women out of domestic violence. Even marital rape has no law against it even though Uzbekistan has laws prohibiting rape and rape by a close relative^x.

Sex Trafficking

Women suffer from sex trafficking in Uzbekistan by both being subject to exploitation within the state and being sent abroad. The country's economic downturn has pushed more

women to being susceptible to trafficking by not having a means for living. Also, the strategic geographical placement between Europe, Asia, and the Middle East makes Uzbekistani women a target for traffickers^{xiv}. The women are usually forced to go abroad to states such as the United Arab Emirates, South Korea, and Indonesia if there's no money to be made within the state. The reach of the trade of Uzbekistani women can be felt far. After the Nepal Earthquake in 2015 two Uzbekistani women were detained for illegally crossing the border from Nepal to India^{xv}. They were suspected to be trafficked after the Nepal Earthquake and are currently a sign that more than just Nepalese are being trafficked as a result of the earthquake.

Uzbekistan is an especially concerning country for human trafficking. The women within the country are not only preyed upon by sex traffickers but also by the government. Uzbekistan is a 'special case' state because they are one of the few perpetrators of state-sponsored forced labor. During the annual cotton harvest workers are forced to pick a daily quota of cotton^{xvi}. This is usually written into their college or work contract so that students may be threatened with expulsion and workers may be fined if they do not show up^{xvi}. The only way out is to pay a replacement to pick cotton^{xvi}. This negatively affects women because even if the woman has a job or means of living she is still at risk for being trafficked. Thus, the government is more responsible for trafficking their own citizens than any other non-governmental actors are.

The government began to crack down on sex trafficking in 2005 when they signed an international convention to end the sexual exploitation and trafficking of women^{xii}. During 2008 the government of Uzbekistan adopted 'On Countering Human Trafficking' and a Presidential decree on 'Measures to improve the efficiency of fighting against human trafficking'^{xvi}. Lately,

they have cooperated with international organizations such as the UN, OSCE, and IOM in order to prevent human trafficking and to protect victims^{xvi}. However, by the end of the year the five madams who had been charged were released by the President's annual amnesty^{xiii}. Most recently Uzbekistan has made progress as seen from its movement up to a 'Tier 2 watch list' status on the Trafficking in Persons 2015 report^{xvi}. The government's progress can also be seen by the prevention steps taken. Over four years, Uzbekistan had produced 4.5 million manuals and booklets on human trafficking as well as perpetrated 33,000 activities^{xvii}. However the only reason why the Uzbekistani government has been so active in combatting sex trafficking is so that they can continue to exploit their women through state-sponsored forced labor.

Conclusion

Conclusively, Uzbekistan is facing ongoing problems in regards to women's rights and empowerment. There is a lack of government support for proper and effective measures to be taken. So far, the government has become complacent with directly avoiding these problems. Domestic violence continues to be a fundamental societal problem that is completely disregarded by governmental entities. Sex trafficking has also been an area that the government has failed to counteract. This overshadowing of sex trafficking is due to the use of other forms of trafficking, i.e., labor trafficking, by the government. Since the Uzbekistani government is not accountable in one area they will not be in either.

ⁱ "Uzbekistan profile- Leaders." *BBC*. BBC, 31 March 2015. Web. 10 October 2015.

ⁱⁱ *Uzbekistan profile--Timeline*. 31 March 2015. Web.

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- iv "Ukraine." *Report on International Religious Freedom*. Bureau of Democracy, Human Rights, and Labor, 2014. Web. 10 October 2015.
- v "Uzbekistan and Islam." *Human Rights Watch*. N.p., N.d. Web. 10 October 2015.
- vi "Uzbekistan." *USAID*. USAID, May 2015. Web. 15 October 2015. PDF file.
- vii "Political Structure: Constitution and Government." *Consulate General of Uzbekistan in New York*. Consulate General of Uzbekistan in New York, n.d. Web. 10 October 2015.
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Tajikistan: Women's Rights

Background

History

Tajikistan's history as a sovereign state began in 1991 with independence from the Soviet Union and the election of Rahmon Nabiyev as president. Then, in 1992, a wave of political violence began that soon escalated into a civil war. A year into the violence the president resigned and Emomali Rahmonov took his placeⁱ. In 1993 the new president began a wave of political repression by banning every other political party with the exception of his own, the Communist Party. In 1994 he was officially elected as the President in an election that has been criticized to have been neither 'free nor fair'ⁱ. However, despite the façade of democracy, the political violence between the government and the rebel groups continued to escalate. This led to the 1997 Peace Accord being signed and implemented by the government and opposition leaders. Two years later, in 1999, another presidential election was held and Rahmonov was re-elected with 96% of the voteⁱ. Following in 2003 a referendum vote allowed President Rahmonov to stay on for two more consecutive seven year termsⁱ. At that time, only seven years after the peace accord, Rahmonov began to eliminate the opposition leaders. In 2004 he arrested Mahmadrusi Iskandarov for terrorism and corruption—23 years in jail; in 2006 Gafor Mirzoyev, a top military commander, was imprisoned for terrorismⁱ. In 2013 Zayd Saidov was arrested for starting an opposition party and charged with sexual relations with a minor, polygamy, fraud, and corruption; he was sentenced to 26 yearsⁱ. During these politically motivated arrests the People's Democratic Party continued to succeed. Once again, both in 2005 and 2010 the parliamentary elections did not meet acceptable standards and were accused of fraudⁱ. In both

elections the People's Democratic Party won by a wide margin. In 2006 and 2013 President Rahmonov (now Rahmon after he ordered the ending of Russian-style surnames) won the presidential election through fraudⁱ. However, the use of fraud has not been limited to just politics. The IMF found that fraud was also used to receive loans and in 2008, they ordered the return of a \$47 million dollar loan after realizing that Tajikistan submitted false dataⁱ.

Demography

Tajikistan, similar to both Kazakhstan and Uzbekistan, is both ethnically and religiously homogenous. Ethnically, the population of Tajikistan is mostly comprised of Tajiks and Uzbeks with Tajiks comprising 79.9% of the population and Uzbeks comprising 15.3% of the populationⁱⁱ. The two next largest ethnic groups are the Russian and Kyrgyz ethnicities which each have 1.1 % of the populationⁱⁱ. Religiously, the population of Tajikistan is mostly Sunni Muslims, with 85%, followed by Shia Muslims with only 5%ⁱⁱ. The high concentration of Islam in Tajikistan is not surprising. Yet, because of religious repression under the Soviet Union it is more cultural than religiousⁱⁱⁱ. Even under the sovereign state of Tajikistan the surge in radical Islam in neighboring countries has lead the government to limit the influence of 'foreign Islam'^{iv}. Women are no longer allowed to wear any Islamic dress that is not the traditional Tajik dress and men are beginning to shave their beards^{iv}. In addition to religious views, Tajikistan also has a large young adult population. About 38.9% of citizens are between 25-54 years old with the median age being 23.5 yearsⁱⁱ. In addition, only 8% of the population is over 55 years of ageⁱⁱ. The official language of Tajikistan is Tajik although Russian is primarily used in the government and business sectorsⁱⁱ.

Government

The government of Tajikistan is a republic that became a sovereign state after the dissolution of the Soviet Union in 1991^v. The constitution that was adopted in 1994 created a bicameral parliament and allowed the president to stay in office for seven year terms^v. The president, Emomali Rahmon, has been in office since 1993 and has no plans to step down. The position of Prime minister is, according to the constitution, appointed by the president and is currently filled by Qohir Rasulzoda^v. Also appointed by the president is the judicial branch who after appointment is approved of by the National Assembly. Although the judges can stay on for renewable ten year terms they must retire by the age of 65^v. Lastly, the legislative body is comprised of both the National Assembly or ‘Majlisi Milli’ and the Assembly of Representatives. The National Assembly has thirty-four members of which eight are appointed by the President and one is reserved for the former president^v. The Assembly of Representatives has sixty-three seats of which forty-one are elected by an absolute majority in single-member constituencies and twenty-two through a closed-list proportional representation system^v. Tajikistan has remained active in international organizations including ADB, IMF, ILO, UN, WHO, and WTO^v.

President Rahmon’s influence within the government is overwhelming and can be seen by the appointment of his family to top spots within the government. He has an extensive family which not only includes his seven daughters and two sons but also all of their spouses and their families. Currently, Rahmon has given most of the top political positions to his sons and son-in-laws. His only daughter within the political realm, Ozoda, was promoted to the first deputy minister within the foreign ministry^{vi}. Rahmon’s sons and son-in-laws though have numerous

spots within the domestic and foreign politics of Tajikistan. His other daughters have been rumored to ‘have controlling stakes in’ banking, real estate, and other profitable sectors^{vi}. President Rahmon has blatantly used his power to assist his already wealthy family. However within the realm of politics the men have been given more power than the women. This discrimination can also be seen through Tajikistan’s ratification of the United Nation’s Convention on the Elimination of All form of Discrimination against Women, or CEDAW. Tajikistan signed this document in 2000 yet did not ratify it until 2014^{vii}. When they did ratify the document the government declared that they did so ‘...without recognizing the competence of the United Nations Committee on the Elimination of Discrimination against Women, provided in Articles 8 and 9 of the Protocol.’^{vii}. This is important because Article 8 of CEDAW states that women will be allowed to represent their state at the international level and through NGOs and Article 9 states that women should have equal rights to maintain or change their nationality^{viii}.

Society

Domestic Abuse

Domestic Abuse in Tajikistan is not just a commonality but a part of their everyday culture. This is a massive statement; one that should not be taken lightly and one that has not been created ignorantly. The government’s actions following independence revived the practice of domestic violence to the point where in over 58.3% of marriages today women admit to suffering from physical or sexual abuseⁱⁱⁱ.

After Tajikistan declared independence from the Soviet Union the government rushed to establish a new state identity that was different from their recent past. Thus, in doing so, they

reverted back to Tajik culture before Soviet intervention—a culture that was and is not compatible with modern timesⁱⁱⁱ. One of the defining characteristics of the new culture was the submission of women to men in every aspect of life according to Islamic principles. This resurrection of patriarchy was beneficial because it allowed Uzbekistan to have a semblance of an organized democracy. This is especially important because the 1992-1997 civil war in Tajikistan spelt chaos for society. Approximately 26,000 women were widowed, 600,000 persons displaced and 55,000 children left orphanedⁱⁱⁱ. In addition, the war all but destroyed Tajikistan's infrastructure, wrecked the economy, and destabilized the stateⁱⁱⁱ. Therefore, by the state adapting to pre-Soviet Tajik culture it gave the government a foundation on which to rebuild society and justify state actions. Domestically, this new national identity gave society a structure with men at the top and women following no matter the cost. It created defined social roles that each individual needed to fill, and any deviation from such would result in being ostracized. Internationally, the government promoted domestic violence in order to both make Tajikistan look like a thriving new state (low divorce rate, high family unity) and to make their men strong in case of war^{ix}. Tajikistan attempted to look like a century old democracy at the cost of women's rights.

Since independence, the government continued to allow domestic violence in order to promote a good image to developed countries. The country agreed to international legislation to decrease violence against women and promoted laws against it within the state. In December of 2012 the lower chamber of parliament endorsed a draft law to prevent domestic violence^x. This law was supported because it was presented as an effort to save the family unit, not just the women. Even then it has done very little to deter domestic abuse. There has been a slight

increase in the number of reports and the most common result has been women pursuing divorce on the grounds of abuse^x. Yet overall there has been no significant impact by the law.

Internationally, Tajikistan signed the United Nation's Convention on the Elimination of All Forms of Discrimination against Women in 2000 and ratified it in 2014^{vii}. Yet despite what Tajikistan claims on paper, it is rare that it is carried out in reality. Women are stuck in the vicious cycle of domestic violence because they have been taught the Islamic principle that faith and good works can change a situationⁱⁱⁱ. Thus, if the women are being domestically abused it's their fault because they lack enough 'faith and good works'.

Sex Trafficking

The women in Tajikistan are one of the most susceptible groups to sex trafficking because of the failing economy and profitability of prostitution in the region. During Tajikistan's history under the Soviet Union the women were free to join the workforce in most sectors enabling them not only to receive an education but also to use it in order to sustain themselves^{xi}. However, after the 1992-1997 civil war jobs for both women and men were scarce because of the destruction caused to the infrastructure and industryⁱⁱⁱ. The economy stooped so low that the average monthly wage in 2004 in Tajikistan was just \$5 USD^{xii}. Men were forced to emigrate to look for jobs. Some found employment and sent money to their wives and families in Tajikistan. However, others seized the opportunity and started another family abroad without sending any financial support to their families in Tajikistan^{xiii}. Many women today still do not know the whereabouts of their husband and never receive financial aid^{xiii}.

The failing economy has left Tajikistani women in desperate need of money and with few options. Human Traffickers know this and specifically target the women in Tajikistan^{xi}. They promise the women lucrative jobs outside of the country and when they leave for the job, the trafficker takes away the passports and forces the women into prostitution^{xiv}. These women will be brought to different cities in Asia, Europe, or the Middle East to work as a prostitute and will have no means of going back to Tajikistan^{xv}. In 2004 there were sixteen known organized crime rings working within Tajikistan to traffic women^{xvi}. The fact remains that the majority of women in Tajikistan who are forced into prostitution are sold in other countries. However, the government of Tajikistan remains set that preventative measures will solve the problem. Nigida Mamadjonova from the International Office for Migration said "According to unofficial data, more than 300 Tajik woman and girls have been arrested and imprisoned in the United Arab Emirates for prostitution. We are not involved in releasing them. Preventing them from being involved in this traffic is more important. It's our priority,"^{xii}.

Although women being forced into prostitution abroad is a serious threat, so is their chances of being forced into prostitution within the country. Prostitution has been and will likely remain illegal in Tajikistan on paper; however it is very profitable for the government and is therefore allowed^{xvii}. The largest demanders of prostitution and strip clubs in Tajikistan, specifically Dushanbe, are the Afghani men^{xv}. Compared to the fundamentalist state that they are used to Dushanbe is their Pleasure Island. The exposed women keep the Afghani men coming back to Tajikistan so the government allows the practice even if the women are doing it voluntarily or forced. This profits the government because the men coming from different countries pay close to \$500 for a Tajik Visa and then pour even more money into Tajikistan

through paying for strippers or prostitutes^{xvii}. Thus, the economic prosperity of prostitution in Dushanbe itself is what keeps the Government from intervening and the business growing. In a recent study, it was found that sex trafficking in Tajikistan increased by 30% from 2012 to 2013^{xv}.

Although Tajikistan has tried hard to fool the international arena into thinking they are dealing with the problem no one is. In July 2002 Tajikistan accepted the United Nation's Protocol to Prevent, Suppress, Punish and Trafficking in Persons, also known as The Palermo Protocol, but did not sign it^{xviii}. Recently, the US Department of State released the 2015 Trafficking in Persons Report which has kept Tajikistan in the Tier 2 standing as they have been since 2011^{xix}. This ranking means that the government of Tajikistan 'does not comply with the minimum standards for the elimination of trafficking, yet is making significant efforts to do so'^{xix}. The main reason why Tajikistan received the ranking was the addition of the new law, Counteracting Trafficking in Person and Providing Support to Victims of Trafficking in Persons^{xvii}. However, although this law was added and has created parameters to define a 'victim of trafficking' it has yet to be implemented and the government still needs to take additional steps in order to protect women from being victimized.

Conclusion

Women's rights in Tajikistan have taken a backseat to promoting the country as a mature democracy and fixing the economy. This is a direct result of the disaster brought upon the country by the 1992 civil war and the revival of a culture that promotes patriarchy and women's submission. Tajikistani women are currently suffering from both domestic abuse and sex

trafficking because of their limited freedoms and limited economic opportunities. The best response that the government can take would be to implement their own policies as well as opening economic opportunities for women. This would allow women a way to escape the violent ways of life that they are forced into because of cultural values and economic need. Although, this alone will not solve the problem, it cannot be solved until this happens.

ⁱ BBC. *Tajikistan profile--Timeline*. 11 November 2014. Web.

ⁱⁱ “Tajikistan Demographics Profile 2014,” Index Mundi, 30 June 2015. Web. 8 February 2016.

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Conclusion

After the completion of this thesis many blurry details became fully developed and the state of women's rights in Central Asia was revealed. The initial hypothesis proved true however it will require some adjustments. Kazakhstan has proven to be the leader in the region as far as women's rights are concerned. Although approximately 25% of their women are abused and 'bridenapping' continues to be a persisting issue, the government has been most active in implementing policies to help Kazakhstani women. Uzbekistan would be in the middle tier because domestic violence is much more prevalent with being in approximately 60% of marriages. Sex trafficking in Uzbekistan is either not as prevalent or not documented as well. This is because of the prevalence of state-sponsored forced labor in Uzbekistan's cotton harvest. The government of Uzbekistan is active in combating domestic violence by allowing Non-profits to set up shelters. For sex trafficking, the Uzbekistani government has been very active by raising awareness and training law enforcement. However, the persistence of forced participation of its citizens in the cotton harvest is holding Uzbekistan back from making any substantial progress. Lastly, Tajikistan, as predicted, had the worst rights for women. The government understands that both domestic violence and sex trafficking are problems yet refuses to implement any policies that would help women. Approximately 58.3% of women are abused in marriage and sex trafficking is rampant within Tajikistan. However, no substantial action has been taken by the government except to sign international legislation.

The hypothesis was correct in its ranking of the states; however after completing this study it is evident that the independent variables were not wholly correct. Two of the three, government instated culture and government economic policies, were correct and did directly

fuel the acceptance and prevalence of domestic abuse and sex trafficking. However the variable, threat of religious extremism, should have been expanded to the threat to state stability. Although the threat of religious extremism does play a part, the governments of these countries are willing to dismiss human rights because of any threat to the state's stability. Lastly, international concern and accountability also directly affects women's rights in Central Asia. Because of the geographical location of the region the international arena has put no pressure on Kazakhstan, Uzbekistan, or Tajikistan to end violence against women. This is because the Central Asian region is strategically close to the Middle East. Therefore Russia, China, Western Europe, or the U.S. will not hold Central Asia accountable for their treatment of women—the region means more as a strategic ally than human rights advocate. Thus, this directly fuels the prevalence and acceptance of domestic abuse and sex trafficking.

Looking forward an attempt can be made at predicting how women's rights will progress in Central Asia. With the progress that Kazakhstan has made, it seems that they will continue to grant women more rights. This is because Kazakhstan's stable economy will give them more resources to use and their role as a regional power will keep the international arena concerned with the state's treatment of women. In Uzbekistan either one of two things will occur. First, the international concern for products made without slave labor will negatively affect the country's economy and force them to stop state-sponsored forced labor. During this period the state will have to pay their citizens for their work which would hopefully positively affect the economy leading to better rights for women. However, if this does not occur, Uzbekistan will continue on the same path of using slavery without any repercussions. In Tajikistan the crumbling economy and lack of government control may lead to a shift in leadership or the downfall of the country as

a whole. One important aspect to note is that there are two intervening variables when predicting these countries future. First, the need for presidential succession in the upcoming decade will cause a change in the course of the region either to stabilization or destabilization. Also, the threat of radical Islam infiltrating the countries, specifically Uzbekistan and Tajikistan, would cause a drastic change in the course of the countries.

The other two countries in Central Asia, Kyrgyzstan and Turkmenistan, are just as plagued by domestic violence and sex trafficking. Reports by The Advocates for Human Rights have revealed startling practices within each country. In Kyrgyzstan ‘bridenapping’ is even more common than in Kazakhstan and the largest issue that the government has yet to face is the increase in reported rapes. Similar to Tajikistan, women—including young girls—are trafficked within the country and are waiting for the government to intervene. In Turkmenistan domestic violence is commonplace and that the government has not put enough effort into stopping it. In addition, sex trafficking of Turkmenistani women was only outlawed in 2010 and is still pervasive. Once again the pattern seen in these countries is an active government on paper who fails to implement any substantial change in reality.

The governments of Kazakhstan, Uzbekistan, and Tajikistan are all reacting to the pervasive problems of domestic violence and sex trafficking differently. In the end though, these problems are still not being handled to the point that they should be. Women in Central Asia are victims and should be able to rely on their governments for protection. As time progresses change should too—and the women in Central Asia desperately need it.

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