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INTERNATIONAL STANDARDS ON WOMEN'S RIGHTS PROTECTION AND GENDER EQUALITY AND THEIR SIGNIFICANCE FOR UZBEKISTAN

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ABSTRACT

This article examines the international legal framework for protecting women's rights and ensuring gender equality, focusing on its implementation in Uzbekistan. It analyzes key international instruments including CEDAW, the Beijing Declaration and Platform for Action, the Convention on Political Rights of Women, and the UN Sustainable Development Goals. The research explores how these international standards have influenced Uzbekistan's national legislation and policies on gender equality. Special attention is given to challenges in implementing these standards and potential solutions within the Uzbek context. The study reveals that while Uzbekistan has made significant progress in aligning its legislation with international standards, certain cultural and institutional barriers remain. The article concludes that effective implementation of international standards is crucial for strengthening women's rights and achieving gender equality in Uzbekistan.

KEYWORDS

Women's rights, gender equality, international standards, CEDAW, Uzbekistan.

INTRODUCTION

The protection of women's rights has become a global priority, with numerous international documents adopted and monitored by UN prestigious committees and commissions. These situations require theoretical analysis and development of preventive measures, indicating the importance and urgency of women's rights.

With the establishment of the UN (1945), the struggle for women's rights became more organized and purposeful. The UN Charter [1] proclaimed, for the first time in history, the equality of all people regardless of race, gender, language, and religion. In 1946, the Commission on the Status of Women [2] was established as a subsidiary body of the UN Economic

and Social Council, creating conditions for examining and resolving human rights issues and studying women's conditions worldwide.

On December 10, 1948, the UN General Assembly adopted the "Universal Declaration of Human Rights" [3]. This document became the primary global instrument on human rights. Based on the Declaration, the women's movement began drawing public attention to various women's issues.

A significant step toward achieving women's equality was taken on December 18, 1979. On that day, the UN General Assembly adopted CEDAW (The Convention on the Elimination of All Forms of Discrimination Against Women) [4]. This document emerged as the first and only international instrument broadly addressing women's political, cultural, economic, social, and living conditions. Scholars such as Freeman (2013) [5] and Charlesworth (2015) [6] emphasize that CEDAW's binding provisions mandate transformative structural reforms, compelling states to embed gender equality into their legislative and institutional frameworks.

The creation of this Convention was a pivotal step in advancing women's human rights. The comprehensive Convention addresses various forms of discrimination based on gender and calls for equal rights for women in all spheres regardless of marital status:

- Politics, economy, social life, culture, and citizenship: Calls for states to adopt national legislation against discrimination and implement temporary special measures to establish equality between men and women. Recommends changing social and cultural patterns that perpetuate discrimination.
- Education and employment: Ensures equality in political and social life, access to education, identical

curricula, and guarantees employment protection during marriage and motherhood.

The Convention establishes equal rights and responsibilities for men and women in family life. It calls for social services, including childcare facilities, to enable parents to combine family obligations with work and participation in public life.

Other articles address:

- Healthcare: Eliminating discrimination in healthcare
- Family planning: Equal civil rights for men and women
- Legal documents: States agree to void all contracts and private instruments restricting women's rights

The Committee on the Elimination of Discrimination against Women (CEDAW Committee) was established to analyze implementation. It consists of 23 independent experts who:

- Review reports from member states
- Evaluate national-level implementation
- Analyze implementation data
- Develop general human rights standards protecting women's cultural, social, economic rights and freedoms of conscience [7].

According to the Additional Protocol to the Convention, the Committee's mandate includes:

1. Receiving complaints from individuals and groups claiming violations of rights under the Convention
2. Initiating investigations in cases of serious or systematic violations of women's rights [8].

These procedures are optional and only apply when ratified by the participating state.

The Convention is not an inexperienced draft treaty. Its implementation for over forty years demonstrates that it is a high-quality instrument for guaranteeing women's rights. The Convention's main purpose is to eliminate discrimination against women and serve as a global human rights standard. The Convention has helped protect fundamental rights and freedoms of women worldwide.

Significance of CEDAW Convention for Uzbekistan.

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) is one of the most important international documents on protecting women's rights and ensuring gender equality. Uzbekistan's accession to this convention in 1995 signifies the country's commitment to international obligations regarding women's rights protection and gender equality.

CEDAW's core principles serve as key guidelines in shaping Uzbekistan's policies on women's rights protection and gender equality.

Uzbekistan joined CEDAW due to:

1. Desire to strengthen its position in the international arena
2. Commitment to implement democratic reforms and take on international human rights obligations
3. Need to improve national policy on women's rights protection and gender equality
4. Desire to change gender stereotypes formed during the Soviet era

After joining CEDAW, Uzbekistan took important steps to align its national legislation with Convention requirements. This was evident in the law on gender equality, changes to constitutional, labor, criminal, and educational legislation, the Convention's influence on Uzbekistan's policies, national strategies and programs, institutional mechanisms, increasing women's political participation, expanding women's economic opportunities, and family relations.

Despite this, Uzbekistan faces several challenges in implementing CEDAW requirements:

1. Persistent gender stereotypes: Traditional gender roles remain strong, especially in rural areas
2. Incomplete law implementation: Progressive laws exist but aren't fully enforced in practice
3. Women's economic vulnerability: Many women, particularly in rural areas, remain economically dependent on men
4. Continuing domestic violence: Despite improved legislation, domestic violence cases still occur
5. Gender gaps in education and career choices: Women remain underrepresented in certain fields (e.g., technical areas)
6. Regional disparities: Gender equality achievements are more prominent in the capital and major cities, while rural areas lag behind

The CEDAW Convention remains an important tool for Uzbekistan to strengthen efforts in women's rights and gender equality, implement international standards, and enable improvements in women's legal, psychological, and economic status, strengthening their role and position in society.

UN Beijing Declaration and Platform for Action.

The Beijing Declaration and Platform for Action (BPfA) [9] was adopted by delegations from 189 countries at the Fourth World Conference on Women in Beijing, China on September 15, 1995 [10]. This international declaration affirms and builds upon the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). The BPfA represents a turning point in the global women's movement and serves as an "action plan" for implementing women's rights. It identifies inequality as a major obstacle in fully implementing issues such as human rights, women's rights, gender equality, peace and security, and poverty elimination.

Based on this document, a roadmap was developed with strategic goals and specific actions to improve women's situation in each problem area. This allows governments and other stakeholders to move toward specific goals.

Although the BPfA is not legally binding, it calls on governments and other institutions to make firm commitments and fully implement the designated roadmap. This enables change through social and political pressure. However, as Htun and Weldon (2018) [11] highlight, the BPfA's non-binding nature requires unwavering political commitment and sustained advocacy to achieve meaningful outcomes. Uzbekistan's alignment with BPfA objectives has been uneven, with rural areas frequently lagging behind urban centers. Addressing these disparities demands targeted interventions, such as capacity-building programs for local governments and partnerships with international organizations to strengthen policy implementation. This multifaceted approach can bridge the gap between policy aspirations and practical achievements, ensuring that the BPfA's

transformative potential is fully realized in Uzbekistan's socio-cultural context.

Uzbekistan has supported the Beijing Declaration and Platform for Action. This document is important for Uzbekistan in comprehensively forming and implementing policies on women's rights protection and gender equality. It serves as a main guideline in developing national programs and strategies.

Specifically, it served as a foundation for legal reforms. The BPfA served as an international standard for improving legislation aimed at ensuring women's rights and gender equality in Uzbekistan. This accelerated the process of adopting laws and regulatory documents aimed at eliminating discrimination against women and expanding their rights and opportunities in the country.

In accordance with BPfA requirements, Uzbekistan gained opportunities to strengthen the capacity of state bodies and non-governmental organizations working on women's rights protection and gender equality. This creates necessary conditions for implementing effective gender policies and programs in the country.

During BPfA implementation, Uzbekistan can exchange experiences with other countries and international organizations, receiving financial and technical assistance. This helps accelerate reforms in women's rights and gender equality.

Additionally, BPfA activities and programs help raise public awareness about women's rights and gender equality in Uzbekistan, helping eliminate gender stereotypes and strengthen women's position in society.

The BPfA particularly focuses on increasing women's economic activity and labor market participation. This

allows Uzbekistan to strengthen efforts in supporting women entrepreneurs, expanding women's access to financial resources, and promoting their professional development.

The Beijing Declaration and Platform for Action is an important document enabling Uzbekistan to strengthen efforts in women's rights and gender equality, study and apply international experience. Through implementing BPfA goals and objectives, Uzbekistan can achieve:

1. Improved legislation on women's rights and gender equality
2. Expanded women's participation in economic, social, and political life
3. Elimination of all forms of violence and discrimination against women
4. Increased women's access to education, healthcare, and other social services
5. Elimination of gender stereotypes and formation of gender equality culture
6. Support for women entrepreneurs and expanded business participation
7. Increased women's participation in decision-making processes
8. Strengthened international cooperation on women's rights and gender equality

Moreover, in implementing the BPfA, it's important for Uzbekistan to adapt international standards and best practices while considering national characteristics, cultural values, and development priorities. This serves to ensure sustainable development and social justice,

as well as strengthen women's role and position in society.

Convention on the Political Rights of Women.

The Convention on the Political Rights of Women, adopted on December 20, 1952, through UN General Assembly Resolution 640 (VII), is a key international legal document [12]. It aims to ensure women's political rights, guarantee their active participation in society, and promote gender equality.

The Convention is one of the first international treaties protecting women's rights and marks a significant step in recognizing and protecting women's political rights. It serves to expand women's political participation globally.

Additionally, by ensuring women's political rights, the Convention strengthens democratic processes, enables decision-making that considers all segments of society, ensures social justice, and eliminates all forms of discrimination. Scholars such as Norris (2004) [13] argue that political inclusion is not merely a component of gender equality but a fundamental driver of broader democratic development. Political representation allows women to influence policy decisions that directly impact their rights and opportunities, creating a ripple effect across various sectors.

By joining this Convention, Uzbekistan demonstrates its commitment to fulfilling international obligations in protecting women's rights and ensuring gender equality. The Convention serves as an international standard for improving legislation aimed at ensuring women's political rights in Uzbekistan. Most importantly, through implementing Convention requirements, Uzbekistan can expand women's participation in political life and increase their involvement in electoral processes.

The Convention is crucial in ensuring gender equality in public administration, helping achieve equal distribution between women and men in government bodies and elected positions in Uzbekistan. This leads to:

- Development of political culture
- Decision-making that considers all segments of society
- Elimination of gender stereotypes related to women's political activity
- Opportunities for women to demonstrate leadership potential

Difficulties states may face in implementing the Convention on Women's Political Rights and ways to overcome them.

1. Traditional views and stereotypes. Some traditional views and stereotypes in society hinder women's political activity. To overcome this, we believe it's necessary to conduct large-scale educational events and shape a positive image of women politicians and leaders through mass media.

2. Family obligations. Many women cannot find time for political activities due to family obligations. To solve this problem, it's necessary to expand the network of kindergartens, implement flexible work schedules, and promote the idea of equal distribution of family responsibilities between spouses.

3. Violence and threats. Sometimes women politicians face violence or threats. This can be primarily countered by developing mechanisms to ensure the safety of women politicians and establishing strict punitive measures for such cases.

4. Insufficient study of international experience. Many of the above problems arise due to insufficient study of international experience in ensuring women's political rights. We can see this primarily in the lack of strengthened international cooperation, failure to involve foreign experts, and lack of experience exchange programs.

The Convention on Women's Political Rights is an important tool for Uzbekistan in protecting women's rights, ensuring gender equality, and strengthening democratic processes. Through effective implementation of this convention's requirements, Uzbekistan not only fulfills its international obligations but also takes an important step toward creating equal opportunities for all members of society, ensuring social justice, and achieving sustainable development. Women's active participation in political life is crucial for Uzbekistan's future progress, innovative development, and achieving a worthy place in the global community.

Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages.

In adopting the Convention, States agreed to take all necessary measures to eliminate outdated traditions, laws and practices, namely: ensuring complete freedom in choosing a spouse; completely eliminating child marriages before the age of maturity and preliminary arrangements by parents regarding their daughters' marriages; adopting necessary penalties where appropriate; and ensuring the establishment of a civil status registry or other registry where all marriages would be recorded [14].

In many countries, the mandatory conditions for marriage are not limited to reaching marriageable age. By rule, laws contain several conditions that prevent marriage. Often, marriage between close relatives,

brothers and sisters is not allowed. At the same time, polygamy is permitted for men in several countries. According to the UN Population Division, in the late 1990s, the percentage of men in polygamous marriages was: 20% in Sudan and Cameroon, 20-25% in Central African regions Mali and Nigeria, and 40% in Guinea. In Arab countries, this figure was: 1.9% in Syria, 8% in Egypt, and 11.7% in Kuwait [15].

It is crucial to study and establish marriage conditions more thoroughly. In many countries around the world, including Uzbekistan, the number of single-parent families where children live with only one parent is increasing.

In developed countries, divorce decisions are typically implemented in two stages. In the first stage, divorce is permitted after proving and confirming the fault of one spouse in the family breakdown (i.e., in cases of infidelity, cruelty towards spouse and family members, etc.). Based on whether the husband or wife is at fault for the family breakdown, the court determines the legal consequences of divorce: which parent the children will stay with, who will be obligated to pay alimony, and so on.

UN Sustainable Development Goals.

The UN Sustainable Development Goals, adopted in 2015, comprise 17 global goals to be achieved by 2030. Among these goals, Achieving gender equality and empowering all women and girls is designated as Goal 5 [16].

Goal 5 holds a special place among the SDGs as it focuses on ensuring gender equality and empowering all women and girls. This goal aims to eliminate inequality between women and men in all spheres of society, protect women's rights, and ensure their active participation in social life. As noted by Kabeer (2005) [17], the SDGs signify a paradigm shift by

embedding gender equality as a foundational element in addressing broader global challenges such as poverty alleviation, health improvement, and economic growth. This multifaceted approach underscores gender equality not only as a goal in itself but also as a catalyst for sustainable development, amplifying its importance in national and international agendas.

Uzbekistan has committed to implementing the Sustainable Development Goals at the national level. Goal 5 serves as a crucial direction in shaping and implementing policies on gender equality and women's rights protection in Uzbekistan. It serves as a foundation for developing national strategies and programs.

In implementing Goal 5, it is important for Uzbekistan to adapt international standards and best practices while considering its national characteristics, cultural values, and development priorities. This serves to ensure sustainable development and social justice in the country, as well as strengthen women's role and status in society [18].

The international standards and documents discussed above are crucial for protecting women's rights and ensuring gender equality. They serve as guidance for states, international organizations, and civil society institutions.

To improve these directions, the following legal mechanisms should be established:

1. Improving national legislation: Uzbekistan can strengthen its legal framework by adopting laws or making relevant amendments to existing legislation aimed at ensuring women's rights and gender equality in accordance with international standards and documents. This may include measures such as

ensuring gender equality in labor legislation and adopting special laws on combating domestic violence.

2. Ratification of international treaties: Uzbekistan can strengthen its commitments by ratifying international conventions and treaties in the field of women's rights and gender equality. This ensures the country's compliance with international legal norms.

3. Monitoring and reporting mechanisms: According to international standards and documents, Uzbekistan can implement a system of regular national reporting on achievements and challenges in women's rights and gender equality to international organizations. This allows monitoring progress in this area and taking necessary measures in a timely manner.

4. Improving judicial practice: Within international standards and documents, Uzbekistan can ensure women's right to fair justice by implementing gender equality principles in the judicial system and training judges and law enforcement officers on women's rights issues.

5. Gender expertise: In accordance with international standards and documents, Uzbekistan can implement a system of gender expertise for draft laws and state programs. This ensures that adopted documents comply with women's rights and interests [19].

By implementing these recommendations, Uzbekistan can establish a robust framework that not only aligns with international standards but also ensures tangible and sustainable advancements in gender equality. These measures collectively have the potential to break systemic barriers and empower women across all sectors of society, paving the way for a more inclusive and equitable future.

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