

## Kyrgyzstan is fighting for gender quotes

Kyrgyzstan gained its independence in 1990 after the collapse of the Soviet Union. As an agrarian-and-industrial country with fairly developed infrastructure in Soviet times Kyrgyzstan very quickly lost its manufacturing industry as a result of non-transparent and unfair privatization of national property. This triggered a socio-economic stratification of the population with a violent division into regions, clans and ethnic groups and with access to resources reduced for many vulnerable groups including most remote mountainous communities, the elderly, young people, the disabled, ethnic minorities and women.

Women make 50,6% of Kyrgyzstan's population. They are a vulnerable group making a more vulnerable sub-group inside of each group. The economic collapse, reduced work places in national budget supported areas of economy, public control system impairment in social protection have favored the growth in influence of traditions and religion on relations within the society. These factors as a whole resulted in increasing discrimination and violence against women in various forms and spheres: social, economic and cultural life. Despite a better degree of higher education that young women have in comparison to young men (55,6%) the labor market preserves vertical and horizontal segregation when women are concentrated in lowest positions and a poorly paid or shadowed sectors of economy, which run high risks with no social protection and guarantees. The debarment of women from privatization resulted in failure to build up sustainable women's capital, which would have helped women to gain their strong footing in politics and decision making. Patriarchal considerations have made the access to land difficult for women, which resulted only in 14% of women enjoying to be heads of households. Every year nearly 12,000 women approach law enforcement officers, crisis centers and courts of the elderly with family violence issues; about 60% of marriages in rural areas are concluded through the kidnapping of brides with two-thirds of them never asked for any consent.

Kyrgyzstan occupies 112<sup>th</sup> place in terms of human development index and 162<sup>nd</sup> place in terms of Transparency International index.

However, there is a positive factor of the development of Kyrgyzstan – this is an adequate openness of Kyrgyz society compared to that of other countries of the region. Civil society of Kyrgyzstan is the most active in the region, and as such performs the role of catalyst for democratic processes, including establishment and development of national gender policy. It should be noted that 70% of the leaders and staff members of non-governmental organizations are women.

Kyrgyzstan ratified the main international conventions on the rights of women and adopted the Law on gender equality and domestic violence. The Law on gender equality provides for special measures (not more than 70% of persons of same sex) upon assignment of the Judges of Constitutional Court of Kyrgyz Republic, Judges of Supreme Court of the Kyrgyz Republic, Members of Central Elections Commission and Auditors of Chamber of Accounts of the Kyrgyz Republic

However, despite of achievements for formulation of the national gender legislation, a high level of corruption, clannish nature of the ruling circles and, as a consequence, growth of poverty and its feminization, enhancement of patriarchal forces caused the following challenges:

- Tendency of strengthening of traditional stereotypes about the role of women only as a mother and a housewife
- Tendency of decreasing number of women in governmental institutions
- Rhetorical strategy of authorities in relation to gender equality
- Lack of consideration of hidden barriers for women in politics

**As a consequence there was no representation of women in the Parliament after the Parliamentary elections in 2005.**

Namely active participation of non-governmental organizations in protest actions against unfair parliament elections in March 2005 forced former President of the Kyrgyz Republic to flee from the country.

March events, although having remained the former parliament that did not have a single woman, nevertheless launched the process of constitutional reform, where gender experts and women's non-governmental organizations took active part.

The following actions were a response of feminine movement to single sex parliament and actually single sex Government formed by the parliament (the only woman headed the State Committee on migration):

- ➔ Right after March events, the leading women's organizations – The Agency of social technologies, Center of assistance to women, Association of crisis centers, Forum of women's NGOs, "Diamond" Association, with the support from "Soros –Kyrgyzstan" Foundation, OSCE Human Rights office conducted round tables in all regions of the country to analyze current situation. As a result, gender regional agendas were defined and the delegates to the National Forum from women's organizations selected. In April 2005, the National Forum took place, in which more than 100 women's organizations participated from all regions of Kyrgyzstan. The developed Joint platform of actions and strategy of institutional changes lobbying, including in the legislation was an outcome of the Forum.

National institutional mechanism – the Secretariat of the National Council on women's affairs, family and gender development under the President KR stands at the position of comprehensive support for women's movement and was included into the organizational committee of the Forum. Arrangement of the meeting between the acting President Kurmanbek Bakiev and the representatives of women's movement was the first result of activity of the Secretariat. During the time of the meeting, which was agreed (32 minutes only) it was required to agree on the necessity for systemic changes to be introduced.

The challenges in the sphere of implementation of the international and national commitments of the country in the sphere of gender equality in the situation when women were absent at the level of decision-making were spelled out at this meeting.

*We have prepared for this meeting very well having prioritized our needs and we have prepared a package of the most important proposals. The decision was made to focus on the absence of women in the parliament and in the government right away and to request establishment of the position of Special Representative on gender matters in the parliament. Acting President expressed his nice surprise to our brevity and accuracy and promised to consider our proposals.*

Soon after the meeting, the Decree of the President KR was issued on establishment of the position of Special Representative of the President KR in the parliament on the matters of gender development. Organization Committee developed functional duties, and three candidates were proposed for this position. However, as soon as the position was established, under carpet games of various groups in Presidential Administration started to lobby appointment of their "own" women who had not adequate qualification on gender expertise, or those who was not connected to women's movement. The Secretariat stood for woman's movement and required appointment of those women who were nominated by civil society. As a result of this fighting, the staff of the Secretariat who supported women's movement, - executive secretary Baktygul Toigonbaeva and the expert Taalaigul Isakunova were deprived of their positions, but the candidature proposed by women's movement – Anara Niyazova, - one of the founders of gender expertise for the legislation in Kyrgyzstan, and one of the authors of the Law on gender equality, as well as one of the best lawyers in the country was appointed for the position of Special Representative.

The importance of the first victory was confirmed pretty soon – Anara Niyazova was in constant contact with women's movement. Gender expertise for the draft version of new Constitution was conducted along with the lobbying of gender amendments through the members of Constitutional Meeting. A great work

was performed in the parliament and 7 deputies, including the Speaker, established the group of deputies on the issues of gender equality and institutional gender expertise in the parliament.

With the support of Parliamentary project of UNDP a series of seminars on gender expertise of the legislation and the meetings of women's organizations with the deputies were held. Memorandum stated about intention to support gender draft laws and to cooperate with women organizations. The first Parliament hearings about the status of implementation of international conventions on human rights including CEDAW took place.

Women's organizations perfectly prepared for parliamentary hearings. Although hearings session on the implementation of CEDAW took only 2.5 hours, this was the most saturated and acute moment of the hearings.

As a result of this work, the following proposal was included into the language of the new Constitution: In the Kyrgyz Republic men and women should have equal rights and opportunities (article 13, p.4).

However, along with progressive proposals, the provision related to the fact that Kyrgyzstan should be secular state was removed from the constitution.

It should be noted that after March events, stirring up of all political forces occurred, both progressive and nationalistic, radical religious and criminal. Every day a meeting of some sort took place. In order to attract attention of politicians and the society to the matters of gender equality, Organizational committee of the Forum developed a concept of non-traditional symbolical actions.

To promote the message on the fact that single sex parliament is not a norm, on an early morning on March 5, the representatives of several women's organizations presented cards and flowers congratulating them with Women's Day March 8 to the members of Parliament who were coming at work. The text of the card was the following:

*Dear elected representative of the people!*

*Today, in the eve of the International Woman's Day we would like to congratulate women – Members of Parliament. In a view of the fact that there is not a single women in the parliament of Kyrgyzstan, let us to congratulate You, because March 8 is the day of political, economic and social equality of men and women. We hope that you will protect our interests and rights of women in the parliament, because 51% of your voters are women.*

*With respect, women's movement of Kyrgyzstan.*

In the evening of the same day, a party was arranged called "Alternative March 8", where all prominent women-leaders and men who supported gender equality issues were invited. The program of the party included performance "the history of women's movement" and a strong message was spelled out that women of Kyrgyzstan have a right and deserve to be represented in the parliament.

This action created a furore and was covered by mass media. This was very positive and attracted a lot of attention.

Strengthening of radical religious forces at the level of decision-making manifested in the initiatives on decriminalization of polygamy supported by the Minister of justice and Ombudsman of that time! At the same time ombudsman initiated consideration in the parliament of the law on criminalization of abortions made before 22 weeks on social indications. Both initiatives were presented under the rhetoric on the necessity to humanize Criminal Code, protect the rights of women, children and embryos.

In response to these threatening signals, women's movement disseminated a message to the President and MPs with the requirement not to support these amendments. During parliamentary vacations, when all MPs met their voters locally, the representatives of women's organizations expressed their indignation with regard to these initiatives and demanded to cancel those. In addition, action was conducted called "Fax attack": messages of women's movement were sent to the faxes of all MPs with the long list of the

signers. When reception offices of MP started receiving these 10 pages lists, MP's secretaries scared that they would run out of expensive fax paper just switched their fax machines off. But the effect was reached!

Before the consideration of amendments to Criminal Code on decriminalization of polygamy, the activists of women's movement together with other non-governmental organizations and some political parties conducted the action "For Secular Kyrgyzstan" in front of the building of the Parliament.

*We fixed white canvas on a regular linen rope with regular clothes-pegs with achievements of Kyrgyzstan in terms of formation of the national gender policy – ratification of conventions, adoption of the main laws, while on the red canvas with black letters we wrote kickbacks occurred after 2005 – lack of women in the parliament and in the government, loss of provision on the fact that Kyrgyzstan should be secular state, and the initiatives on decriminalization of polygamy and criminalization of abortions.*

*The Chair of Human Rights Committee under the President KR has come. All journalists rushed to interview him. He said: "In general, I am against polygamy, but if a wife is sick, paralyzed, or she cannot have children and she agreed, then why not?". I asked: "what if a husband is paralyzed, or impotent man and so he cannot have children, does it mean that a wife can have second husband?". He claimed: "how can a husband be impotent man, if he got married?". So, I said: "But do you have statistics on what is the growth of acquired impotence and sterility in men? Do you know that according to urologists; in Kyrgyzstan 40% of men have problems with potency? And do you have the data on how many men live with paralyzed wives and have not left them yet? I think there are few of those. Now men leave healthy wives with three, four children!"*

*This topic was showed in all news channels. In the evening when I came home my husband sat frown and said: "Now everybody think that I am impotent man!"*

As a result of all these actions, at the date of voting for these amendments in the parliament, each MP mounted the rostrum and spoke on inadmissibility of this amendment. On 15-th speech against decriminalization of polygamy the Speaker of the parliament being worried on the time limit, requested to start the procedure of voting, but the MPs required allocating additional time to be able to express their opinions on this matter. The results of the voting were stunning: despite of the absence of women in the parliament, and despite of the fact that many MPs have second wife aside, 73 MPs voted against and only two MPs vote for!

This action was a demonstration of unity of women's movement organizations with other progressive forces of civil society. The development of proposals for the new version of Code on elections was the next action on lobbying special measures.

Women's organizations were included into the organizational committee on the preparation of Civil Forum and managed to include the matter on necessity to introduce special measures for female representation in the parliament into the agenda of the Forum. Zebra was selected as a symbol of the action, as the requirement of 50% representation of women in higher legislative body of the country. Striped kerchiefs and signs with zebra print and with the writing "Women + men = strong parliament" were made.

*All participants of the Forum, who supported the idea of quoting of parliament seats for women put on the kerchiefs and signs to express their solidarity. It was great!*

Then the activists of women's organizations managed to arrange the meetings with practically all chairs of parliamentary committees in order to find out about their positions and try to persuade them on the necessity to support the notion of quoting.

*Position of major share of MPs was the following: "Never! Never! Never! Forget it!". They did not hide that the provision of the seats in the parliament to women will reduce their personal chances to be elected for the next term, due to the fact that women would be real competitors for them.*

Prior to MPs went to parliamentary vacations, another action was arranged before the building of parliament “New face of Kyrgyzstan”. A figure was made from plywood in business suit with MP sign, with funny braids and a hole instead of a face, where each participant of the action could peep out and have her picture taken. Underneath, there was a writing “Member of the Parliament may be like this too!”. Here, brief conference of the participants of the action was arranged including both men and women – human rights lawyers and civil society leaders.

To promote the notion on female political leadership, women’s organizations used any causes. On June 1 – the Day of protection of children, the action was arranged for mothers and children – domestic migrants living in slums around Bishkek. They were taken in the center of the city, where the concert was organized and where children received free ice cream. The slogan of the action was “Different mothers are important in the parliament too!”. In their interviews the activists asked: WHO WILL REPRESENT THE INTERESTS OF THIS GROUP IN THE PARLIAMENT – of the most poor and vulnerable group? Their voice is not heard, their rights are not protected, and their interests are not taken into account.

In the course of regional discussion of draft electoral code, women’s movement was mobilized again locally. The message from women’s movement was disseminated in all round tables in the regions. On the parliament hearings on electoral right women’s organizations again were the most active and well prepared. Moderator of the hearings – the chairman of the Committee on constitutional establishment and rule of law even said: “Dear women, electoral code is not only the matter of gender quoting, but also of many others, so let other people express them too!”

Finally, a round table was arranged with the participation of parliament Speaker, the representatives of Presidential administration of KR and the heads of international organizations in KR – UN, OSCE and “Soros-Kyrgyzstan” Foundation.

*The speaker was placed right in the center of the table to make it impossible for him to leave, and taking advantage of the presence of the heads of international missions, the activists of women’s organizations just attacked him. As the arguments, the provisions of the international conventions and the Constitution of Kyrgyzstan were cited. The speaker was rather open and he said that majority of MPs does not support quotes for women, but that he, personally, understood inequality of the opportunity for women to participate in political life along with the man and that he would try to persuade his colleagues to adopt these measures.*

As a result of joint efforts, in autumn of 2007, in the course of constitutional reform, the following provisions were introduced into the Constitution of Kyrgyzstan: the Parliament should be elected based on 100% proportional system. The new Code on elections included the provision that during the identification of the list of candidates, a political party should take into account the following representation:

- Not more than 70 % of the same sex, at the same time each third candidate would be a representative of another sex;
- Not less than 15 % of people under 35years old;
- Not less than 15 % of people representing various ethnics.

Thus, after the introduction of gender quotes, the parliament of Kyrgyzstan obtained the following gender dimension:

- **26 %** of women MPs
- Deputy speaker– woman
- Women are in the leadership in 6 committees from 12:
  - Head of Committee on defense, security and court reform;
  - Head of Committee on social policy;
  - Deputy head of Committee on land, agriculture, environment protection and disaster;
  - Deputy head of Committee on education, science, culture and information policy;
  - Deputy head of Committee on youth, gender policy, physical culture and sport;

- Deputy head of Committee on Parliament ethic and regulation.

Changed membership of the parliament forms the new government, which changes its gender element too: 5 women among 23 members of Cabinet of Ministers (21%)! Women were assigned for the position of vice Prime minister, Minister of finance, Minister of labor and social development, Minister of education and science and the Chair of State committee on migration and employment.

In addition, women are appointed as the heads of Constitutional Court, Supreme Court and National Academy of Science

During a year of their work in the parliament, women - MPs made enormous work to perform their obligations before women's movement on inclusion of gender matters to the agenda of the parliament:

- First special Parliament hearing on implementation of family violence law;
- First special Parliament hearing from 1998 on international and national commitments on gender equality at decision making level;
- Progressive edition of gender equality law (include definition of sexual harassment and special measures for women in civil service);
- First ever woman was appointed as state secretary in Ministry of justice, another woman was appointed as deputy minister in the same Ministry;
- Two women were appointed as head of districts in Bishkek and Osh province.

As a result of the campaign, "gender quotes" ideas for political leadership are supported and promoted not only by women groups, but also are included into the agenda of NGO sector as the most relevant subjects providing an opportunity to feel one's own power and make politicians to take women's movements into account. According to International Parliament Union data 2008, Kyrgyzstan was recognized as a country where progress on women's political representation is the most dynamic in the world!!!

We have understood again that there is nothing impossible and that the matter of achieving our goals is only the matter of selection of effective strategy. If our strategy is clearly thought out and well organized, if one can form a partnership, establish networks and involve people to cooperation, one would be able to attract required resources. And here, the matter of support to be provided to women's movements locally is important, which, unfortunately, is not a priority for donors currently. But the case of Kyrgyzstan is evidence that namely multiyear investments to women's movement made our achievements a reality. Because namely women activists, volunteers of women's organizations performed all this huge work mobilizing people and attracting public attention to discrimination of political rights of women. They are still in the front line of fighting for the democracy in Kyrgyzstan.

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