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OBSERVANCE OF WOMEN'S RIGHTS IN MODERN KAZAKHSTAN: SOCIOLOGICAL ANALYSIS

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Abstract. This article investigates the problems of the implementation of women's rights in the Republic of Kazakhstan, the reasons for their occurrence. As an empirical base for the study, we used data from the 7th wave of the World Values Survey and reports of the World Economic Forum on the Global Gender Gap Index. Moreover, the data of official statistics and normative legal documents, which reflect the issues of the implementation of women's rights and the maintenance of gender equality, are used in this paper. In comparison with the data of previous years, Kazakhstan is annually lowered in the international ranking on the gender gap index. The problems of observance of women's rights to economic participation and access to finance, health and safety, education, civic and political participation are considered.

Key words: human rights, discrimination, gender equality, gender gap index, violence against women, abuse, victim blaming

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Научная статья

СОБЛЮДЕНИЕ ПРАВ ЖЕНЩИН В СОВРЕМЕННОМ КАЗАХСТАНЕ: СОЦИОЛОГИЧЕСКИЙ АНАЛИЗ

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Аннотация. Рассмотрены проблемы реализации прав женщин в Республике Казахстан и основные причины их возникновения. В качестве эмпирической базы исследования приводятся результаты 7-й волны Всемирного обзора ценностей и отчеты Всемирного экономического форума по Глобальному индексу гендерного разрыва. В статье также использованы данные официальной статистики и государственные нормативные правовые документы, в которых отражены вопросы реализации прав женщин и поддержания гендерного равенства. Освещаются проблемы соблюдения прав женщин на экономическое участие и доступ к финансам, здоровье и безопасность, образование, гражданское и политическое участие.

Ключевые слова: права человека, дискриминация, гендерное равенство, индекс гендерного разрыва, насилие в отношении женщин, абьюз, виктим-блейминг

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Statement of the problem

Observance of the rights of all citizens, regardless of gender, elimination of various manifestations of gender inequality is an urgent agenda of the state policy of the Republic of Kazakhstan. Despite a number of progressive trends: the introduction of gender quotas for party lists, concessional lending to women's entrepreneurship, the introduction of gender-based budgeting, tougher penalties for sexual violence, there are a number of problems in the field of women's rights in the country.

According to the value of the gender gap index, Kazakhstan annually falls in the international ranking. In 2006, the first measurement of the gender gap index was carried out, which was 0,693. Then Kazakhstan was on the 32nd place in the world ranking. In 2020, Kazakhstan took the 72nd place, which is 12 positions lower in comparison with the data of the previous measurement. Since 2017, changes in the index have been negative, indicating an increase in the gender gap [Global Gender Gap Report, 2020: 205—206].

Table 1

Dynamics of the gender gap index in the Republic of Kazakhstan for 10 years

Year	The value of the index	Change, %
2020	0,710	-0,28
2019	–	–
2018	0,712	-0,14
2017	0,713	-0,70
2016	0,718	-0,14
2015	0,719	-0,28
2014	0,721	-0,11
2013	0,722	0,07
2012	0,721	2,90
2011	0,701	-0,64
2010	0,705	0,60

The gap in economic participation, education, health, political opportunity, and civic participation is widening every year. The greatest gender differences are found in the indicators “political opportunities” and “economic participation”.

Table 2

Significance of indicators of the global gender gap index in the Republic of Kazakhstan

Indicators	2006		2018		2020	
	Place	The value	Place	The value	Place	The value
Global gender gap index	32	0,693	60	0,712	72	0,710
Economic participation and opportunities	16	0,713	32	0,741	37	0,742
Level of education	53	0,990	30	1,000	63	0,995
Health and survival	36	0,979	42	0,979	74	0,975
Political opportunities	69	0,089	94	0,130	106	0,130

Despite the declared equality of all citizens and the strengthening of state measures in this direction, there is still discrimination and violation of women’s rights. This is reflected in the size of wages, the difficulty of access to leadership positions and political participation, the prevalence of sexual violence, the increased burden in the introduction of the household in comparison with men, and the restriction of access to certain professions [Nikolayeva, 2014].

Methods and information base of the study

The information base of the study consists of the results of the quantitative survey wave 7 (2018—2020) and materials world economic forum Global gender gap index (maximum index value equals 1, which means no gender gap). Data from the world values survey include people’s values and opinions about women’s access to jobs, their managerial qualities, political participation, and sexual harassment. The sample of the world values survey for Kazakhstan is 1,276 people. The data is available on the website worldvaluessurvey.org, which contains tools developed

for operational analysis. The analysis was carried out by the authors of the article online using the site's tools (tables and graphs for specified indicators, determining parameters for analysis).

Official statistical data and normative legal documents reflecting the issues of gender policy of the Republic of Kazakhstan were used as additional sources of information. The indicators of official statistics on the economic participation of Kazakhstani in the gender context are analyzed. The problems of women's rights realization in the following areas are considered: health and safety, political and civil participation, economic participation and access to finance, health and safety, education.

Results

The right to health and safety

According to the Global gender gap index for 2020, the Republic of Kazakhstan is on the 74th place in terms of "Health and survival", falling by 27 positions in comparison with the data of 2018. Violence against women is an acute social problem in this area, since it not only affects the victims themselves, but also destabilizes society as a whole and threatens social order. According to the world economic forum's 2020 report, 16,5 % of women have experienced gender-based violence in their lifetime [Global Gender Gap Report, 2020: 205—206]. One of the most common forms of violence in Kazakhstan's society is domestic violence. Thus, according to the UN women Foundation, at least 400 women die every year as a result of domestic violence in Kazakhstan. According to the Prosecutor General's office of the Republic of Kazakhstan, a steady increase in domestic violence has been going on since 2017. Then the number of offenses in the family and household sphere was 446 cases, and in 2019 it was more than 1 thousand [Komitet po pravovoï statistike... , 2019].

A special increase occurred during the tightening of quarantine in the spring of 2020, caused by the spread of coronavirus infection, when the level of violence in Kazakhstan increased by 25 % [ibid., 2020].

According to the Union of legal entities "Union of crisis centers", the hotline number 150 received: 150 calls in February 2020; 200 calls in March; more than 300 calls in the first half of April. Thus, with the increase in the duration of strict quarantine, the number of cases of domestic violence has increased.

Violence is not always associated exclusively with physical threat, its most common form is psychological violence. Psychological violence is actions aimed at undermining a person's self-esteem and self-esteem (for example, constant criticism, downplaying a person's abilities, insults). Psychological violence also includes bullying, threats of physical harm to oneself, a partner, children, friends or relatives of the partner, and forcible isolation from family or friends. These forms of violence take place in Kazakhstan's society, but, as a rule, when forming statistics, the facts of physical violence are mainly taken into account.

Cases of rape and street harassment are highly common. According to the results of the world values survey, 7,6 % of Kazakhstani speak about street harassment as a frequent phenomenon [World Values Survey, 2020]. Given the conservative nature of the population in some regions of the country, it can be assumed that many respondents are not sufficiently aware of this phenomenon and cannot always recognize it. Therefore, the real figures for street harassment are much higher.

Table 3

Do they often take place in your area: sexual harassment?

Answers	Number of responses	%
Very often	20	1,6
Quite often	77	6,0
Not often	196	15,4
Not often at all	886	69,4
I don't know	76	6,0
No answer	21	1,6
Total number of respondents (N)	1276	100

According to the amendments to the legislation of January 1, 2020, rape and violent acts of a sexual nature were transferred from the medium to the serious category, and a ban on reconciliation for crimes of this category was introduced. In the presence of reconciliation practices, victims were often subjected to threats and pressure, cases ended before reaching court.

One of the main causes of street and domestic violence is impunity. In the case of domestic violence, a woman often does not file a report to the police, fearing the revenge of the aggressor, who will sooner or later return to the family. Since 2017, when causing moderate harm to health, violent actions against a family member are not considered criminal, but administrative offenses and are punishable by a fine. Many victims of domestic violence do not want to report violence. Since the money for the fine leaves the family and the aggressor will return in any case. Thus, the family will suffer material losses.

Victims of domestic violence in most cases have nowhere to go to hide from the aggressor. Shelters for victims of violence are mainly located in large cities, in villages there are no completely and they always have a limited number of beds.

With increased quarantine measures and lockdown caused by the pandemic, the level of violence increases, because the victim is constantly in a closed space with the abuser, feels constant fear, and has no opportunity to seek help. In the absence of a quarantine regime and curfew, the victim can be safe for at least some time (at work, school or in a public place), with increased quarantine measures and remote work, this is not possible. In conditions of limited movement and economic tension, loss of work and wages, people have an increased level of psychological tension, and as a result, the level of aggression.

It is as though paradoxical did not sound, but a catalyst for street and domestic violence is public opinion. Often victims of violence hear in their address “so it’s her own fault”, “provoked”, “asked for it”, “I should have been smarter”. The blame is often shifted not to the perpetrator of the violence, but to the victim of the violence. In order to change public opinion, you need to actively involve the media, bloggers and opinion leaders. It is important to work with public opinion, to change it in the direction of protecting the victim and overcoming victim-blaming. Victim-blaming is a phenomenon in which the victim, rather than the aggressor, is blamed for committing violence. Combating victim blaming is a significant measure to prevent violence. This phenomenon contributes to the increase in violence, since it is not the perpetrator who is accused, but the victim.

The right to civil, political participation and decision-making

To date, the Mazhilis (lower house) of the Parliament of the Republic of Kazakhstan is represented by 104 deputies, among them 27 women, which is 26 %. At the time of the 2016 election, there were 29. According to the Institute of public policy, in local representative bodies — maslikhats, on average, 22 % of women deputies in the country, they occupy 740 out of 3335 seats [Institut obshchestvennoy politiki... , 2020].

Men and women in Kazakhstan have equal rights to participate in elections, but the chances of the latter winning are much lower. According to the world values survey, 20,7 % of respondents believe that in the case of political elections, women and men rarely have equal opportunities to be elected [World Values Survey, 2020].

Table 4

How often do you think women and men have equal opportunities to be elected?

Answers	Number of responses	%
Very often	383	30,0
Quite often	412	32,3
Not often	193	15,1
Not often at all	71	5,6
I don't know	162	12,7
No response	55	4,3
Total number of respondents (N)	1276	100

49,9 % of Kazakhstanis to some extent agree with the opinion that men are better political leaders than women [ibid., 2020]. This distribution of responses indicates the presence of biases in relation to women's managerial skills and leadership qualities, which obviously reduces their chances of being elected.

Table 5

Men are better political leaders than women

Responses	Number of responses	%
I totally agree	200	15,7
I agree	437	34,2
I don't agree	489	38,3
I totally disagree	109	8,5
I don't know	19	1,5
No answer	22	1,7
Total number of respondents (N)	1276	100

In terms of women's political participation in 2020, Kazakhstan dropped by 37 positions, compared to the previous measurement, and ranks 106 in the international ranking. Women hold only 5,6 % of Ministerial positions, and the representation of women in Parliament is 27,1 %. The proportion of seats in the upper house of Parliament held by women is 10,6 %.

The right to education

According to the report of the world economic forum “Global gender gap index 2020”, Kazakhstan is on the 63rd place in the world ranking in terms of education level, which is 33 steps lower than in 2018 [Global Gender Gap Report, 2020: 205—206]. In general, the situation in the field of education is better than in all other areas. But in comparison with the data of previous years, there is a decrease in the indicator “level of education”, which indicates an increase in the gender gap in this area.

Table 6

Gender gap indicators by level of education, %

Indicators	Women	Men
Literacy rate	99,7	99,8
Primary education coverage	89,0	90,0
Enrolment in secondary education	93,3	92,6
Enrolment in higher education	60,0	48,2

Currently, there are 187 professions prohibited for women in Kazakhstan. Most of them relate to the areas of foundry, welding, mining, geological exploration, construction, installation and repair and construction works*. Some women are interested in mastering these professions, but do not have access to them. World practice shows success in the professional implementation and mastery of many of the professions prohibited in Kazakhstan by women. Many of them are in demand in the labor market, and the involvement of women in these areas will help eliminate the shortage of workers. It should be noted that the list of prohibited professions is being reduced (from 287 to 187) not because of the need to respect human rights, but because of automation, technologization and Informatization of industrial and industrial works.

The right to economic participation and access to finance

According to the world economic forum report for 2020, Kazakhstan is on the 37th place in terms of “economic participation”, which is 5 positions lower than in 2018. Among senior officials and managers, the share of women is 37,1 %, men-62,9 %. At the same time, women make up 60,4 % of professional and technical workers, while men make up 39,6 % [Global Gender Gap Report, 2020: 205—206]. It turns out that women in Kazakhstan occupy mainly those positions that do not involve broad power and high income. The indicator “equal pay for similar work”, on a scale from 1 to 7, where 7 means full equality in pay for men and women, in Kazakhstan is 5. According to experts, this is about a 30 % pay gap [ibid.]. According to the results of the world values survey, 75,6 % of Kazakhstanis to some extent agree with the statement about the priority access of men to jobs, in case of their shortage [World Values Survey, 2020].

* Order of the Minister of Health and Social Development of the Republic of Kazakhstan, dated December 8, 2015, no. 944, “On approval of the list of jobs on which it is prohibited to use labor of workers under the age of eighteen, the maximum norms for carrying and moving heavy loads by workers under the age of eighteen, and the list of jobs, which restricts the use of women’s labor, maximum norms for lifting and manually moving heavy loads by women”.

Table 7

**In the event of a shortage of jobs, men should have more rights
to jobs than women**

Responses	Number of responses	%
I totally agree	324	25,4
I agree	296	23,2
Agree rather than disagree	344	27,0
I don't agree	235	18,4
I totally disagree	59	4,6
I don't know	15	1,2
No answer	3	0,2
Total number of respondents (N)	1276	100

44,2 % of respondents agree to some extent with the statement that men are better at running businesses than women [ibid.]. These biases hinder women's participation in business and the establishment of business relationships with business partners.

Table 8

Men are better at running businesses than women

Responses	Number of responses	%
I totally agree	173	13,6
I agree	391	30,6
I don't agree	546	42,8
I totally disagree	130	10,2
I don't know	8	0,6
No answer	28	2,2
Total number of respondents (N)	1276	100

Many women combine work or business with housekeeping, experiencing a double burden. The average number of hours spent by women on unpaid domestic work (unpaid household services for the household and its members and for the care of household members) is 4 hours 14 minutes, which is 3 times more time than men (1 hour 28 minutes).

The proportion of women relative to men who own a tangible asset (land, property, enterprises) is given as target indicators in the Concept of family and gender policy in the Republic of Kazakhstan until 2030. But such data in full is not yet available in the public domain. At the same time, you can get acquainted with the data on the share of the adult population that owns land and vehicles. The proportion of men who own land is significantly higher (13,9 %) compared to women (4,93 %). A similar situation is observed with respect to vehicles. In 2018—2019 there were 1 377 352 of the vehicle. Women owners of vehicles make up 24,5 % of them was 337 668 vehicles. 75,5 % of vehicle owners — men who own 1 039 532 of the vehicle. According to the constitutional court of the Republic of Kazakhstan, as of January 1, 2019, women headed 239 969 operating enterprises (legal entities), which make up 29,2 %.

Table 9

Economic participation of Kazakhstanis, gender distribution

Indicator	Women		Men	
	N	%	N	%
Average number of hours spent on unpaid domestic work	4 hours 14 minutes		1 hour 28 minutes	
Operating legal entities (hereinafter referred to as legal entities) as of January 1, 2019, headed by women and men	69 953	29,2	170 016	70,8
Small enterprises (operating legal entities) headed by women and men	69 380	29,4	166 893	70,6
Medium-sized enterprises (operating legal entities) headed by women and men	412	16,6	2069	83,4
Large enterprises (operating legal entities) headed by women and men	161	13,3	1054	86,7
Active SMEs as of January 1, 2019	536 270	43,2	705 058	56,8
Active legal entities (SMEs) headed by women and men	65 120	27,8	168 825	72,2
Active individual entrepreneurs (SMEs) headed by women and men	425 849	52,6	383 266	47,4
Active peasant (farmer) farms (SMEs) headed by women and men	45 301	22,8	152 967	77,2
Self-employed, among the employed	288 264	6,8	270 637	6,0
Self-employed rural residents, among the employed	252 619	14,7	233 537	11,9
Helping (unpaid) employees of family businesses, including self-employed	2675	0,9	6160	2,3
Share of informal employment in the total non-agricultural sector		8,7		9,2
Income from sales of products and services, large and medium-sized enterprises for 2018 (thousand tenge for 3715 enterprises)	2 266 580 785	6,7	31 510 428 466	93,3
Income from sales of products and services, small enterprises for 2018 (thousand tenge for 48 370 enterprises)	1 407 019 412	12,7	9 709 982 785	87,3

Table 10

Current legal entities headed by female executives

	Total	Of these the leaders are women	
		N	%
Small	236 273	69 380	29,4
Medium	2 481	412	16,6
Large	1 215	161	13,3
TOTAL	239 969	69 953	29,2

Mainly female managers are represented in small businesses — 29,4 %. In medium and large businesses, there are significantly fewer women — 16,6 %

and 13,3 %, respectively [Komitet po statistike MNĖ RK... , 2019]. Often, the areas in which women are mostly concentrated are low-income. Women often go to them because they are more accessible, rather than more attractive and prestigious. As a rule, this is the field of personal services, food, beauty industry, clothing, design. At the same time, many support programs are focused on priority sectors: manufacturing, manufacturing, information technology (there are relatively few women in these areas). Thus, there is a cultural conditionality in the gender distribution of fields of activity and business areas. At the same time, niches occupied by women in most cases bring less profit and contribute less to upward social mobility than traditionally male spheres.

Conclusion

Analysis of the data showed that women's access to the rights to political, economic participation, access to finance, health and safety is difficult. The least gender-based difficulties in Kazakhstan arise in obtaining the right to education. The violation of women's rights in the country is largely determined by the mentality and traditional gender attitudes, according to which the main purpose of a woman is to motherhood and maintain the home. Based on these attitudes, women are offered less favorable working conditions, often assigned a lower salary for similar work, in comparison with men. A priori, it is assumed that the man is the main breadwinner of the family, so he has the right to a more favorable distribution of resources. Men are less likely to be fired and are more likely to be employed, especially in managerial positions.

Gender-based violence is another pressing issue in the area of women's rights. The normalization of violence against women, the justification of the fact of its Commission by the behavior of the victim encourages the Commission of new crimes against the individual, leaving the perpetrator unpunished.

Despite a number of progressive steps taken at the state level to facilitate women's access to political activities, education, support for women's entrepreneurship, and protection from violence, these problems still need to be addressed. Most violations are observed in the field of women's physical security, access to political and career social elevators.

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