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Women's participation in the political life of Kazakhstan: regulatory aspects

Abstract. *This article discusses legislative measures in Kazakhstan that encourage women's political participation as a crucial base for a successful democracy, highlights advancements and identifies challenges.*

Through thorough analysis, we have examined the legal and regulatory framework that governs women's political participation within our country's political landscape. This framework is designed to ensure equal rights and opportunities for both men and women, with the ultimate goal of eradicating gender-based discrimination. Comprehensive measures have been put in place to eliminate gender inequality within the political sphere, and equal opportunities and treatment are provided to girls and women. Our analysis takes into account both national and international laws.

As we crafted the article, we conducted a thorough analysis of content and monitored internet resources. In doing so, we carefully considered the perspectives of experts on the subject of quotas for women, youth, and individuals with disabilities. These experts were divided into two groups, with some viewing quotas as discriminatory and others seeing them as a means to promote political rights for women.

We have analyzed statistical data on the representation of women in various fields, such as science, secondary and vocational education, the judicial system, small and medium businesses, and decision-making bodies like the government, Majilis, Maslikhats, Akimats, Senate, and corporations.

Keywords: *political participation, women's political participation, women in politics, Republic of Kazakhstan, international law, national legislation, democracy, women's representation, equality, elections.*

DOI: <https://doi.org/10.32523/2616-6887/2023-144-3-93-100>

Received: 11.06.2022 / Accepted: 23.08.2023

Introduction

Kazakhstan is a country with a strong focus on progress and development, recognizing the importance of democratic decision-making processes. To ensure a diverse representation and a wide range of perspectives, the nation values the active participation of women in politics. Since achieving independence, Kazakhstan has established a comprehensive legislative framework to promote gender equality and support women's empowerment in political life. This encompasses laws such as

the Constitution of the Republic of Kazakhstan (referred to as the RK), the Constitutional Act of the Republic of Kazakhstan "On Elections," and the Laws of the Republic of Kazakhstan "On State Guarantees of Equal Rights and Equal Opportunities for Men and Women" and "On Political Parties," among others.

It is crucial to note that the Republic of Kazakhstan prioritizes adherence to international law and participation in global organizations. Their dedication to women's participation in political affairs is evident through their adoption of multiple

international standards. These include the United Nations Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Political Rights of Women, the Beijing Declaration and Platform for Action, the Convention on the Nationality of Married Women, the eight fundamental conventions of the International Labor Organization (ILO), and the 2030 Agenda for Sustainable Development.

Problem

Kazakhstan is a standout leader among Central Asian countries when it comes to gender equality. In fact, it ranks an impressive 65th out of 146 countries in the Global Gender Gap Index 2022. This is all thanks to the country's significant progress in closing the gender gap in education, providing better economic opportunities and wage equality, and promoting more women into leadership positions. While there is still room for improvement in terms of women's

representation in government and parliament, the country's ranking of 51st out of 189 countries on the 2020 Human Development Index and 65th out of 166 countries on the 2020 SDG Index is a testament to its commitment to achieving the global 2030 Agenda and the Sustainable Development Goals. It's worth noting that legislative support for women is also present in public policy.

Kazakhstan established the National Commission on Women's Affairs and Socio-Demographic Policy, promoting gender equality in Central Asia.

Despite the implementation of laws and ratification of international conventions to promote women's participation in politics, Kazakhstan still faces a considerable discrepancy in terms of employment and career prospects, as well as salaries. Shockingly, the gender pay gap in 2022 stands at 21.7% [1], highlighting a significant disparity in earnings. Men in Kazakhstan earn an average wage of 281,239 tenge, while women earn only 220,160 tenge, as illustrated in Figure 1.

Figure 1.



Notes:

1. Compiled from source 1;
2. Systematised by the author.

Objectives

The goal of this article is to examine laws, both domestic and international, that encourage and advance women's involvement in politics.

Research methods

In the course of writing the article were studied policies and strategies to increase women's political participation, as well as the opinions of experts in this area based on general sIn the course of writing the article, we examined policies and strategies aimed at increasing women's political participation. We also gathered expert opinions using scientific methods such as analysis and synthesis. scientific methods (analysis, synthesis, etc.).

We conducted a study on the history of gender equality in Kazakhstan, including the role of the National Commission on Women's Affairs and Family and Demographic Policy. We also analyzed the laws and regulations related to women's participation in politics since the country gained independence. Additionally, we gathered statistical data to compare the representation of women and men in different areas of public and political life.

History

Over the course of the past few decades, the Government of Kazakhstan has made significant strides towards fostering a democratic state that champions equal opportunities for women in politics. Legal norms are in place to support these efforts, ensuring that women have a seat at the decision-making table at all levels.

The Constitution of the Republic of Kazakhstan, which came into effect in 1995, is the cornerstone legislative document that upholds the principles of equal rights and freedoms for all citizens, irrespective of their gender, in the political realm. Article 14 of the Constitution entrenches the equality of all individuals before the law and guarantees equal political opportunities for everyone. [2]

Kazakhstan has taken significant steps to promote gender equality in politics through the implementation of laws and regulations. The "On Elections" Law, established in 1995,

outlines the procedures and conditions for conducting elections in the country, ensuring that both men and women are granted the right to vote, be elected, and hold office in elected bodies. Article 4 of this law specifies that all citizens of the Republic over the age of 18 have the right to vote, regardless of their background, social, official or property status, gender, race, nationality, language, religion, beliefs, place of residence, or any other circumstances. [3] Every female citizen in Kazakhstan can run for elective positions including President, Parliament deputies, Maslikhats, and akims.

The "On Political Parties" law (2002) in Kazakhstan outlines the regulations for the establishment of political parties, as well as their rights, obligations, and interactions with state entities and other organizations. This legislation mandates that political parties include a minimum of thirty percent of candidates from three categories - women, young individuals, and individuals with disabilities - in their party lists for parliamentary elections. [4]

In 2009, Kazakhstan passed the Law on Guarantees of Equality between Men and Women. The purpose of this law is to promote gender equality across all areas of society, including political involvement. Gender-based discrimination is strictly prohibited, and both government and private entities are obliged to work towards eliminating gender inequality in politics. According to Article 9 of the law, leaders of State institutions are required to ensure that both men and women have equal access to public service opportunities based on their skills, experience and professional training. Furthermore, the State must actively encourage equal partnership between men and women in the legislative, executive and judicial branches of State power and local self-government bodies. [5]

Since the State's commitment to the Beijing Declaration in 1995, it has been dedicated to advancing gender policies. In December of 1998, the National Commission on Women's Affairs, Family, and Demographic Policy was established by presidential decree and continues to provide advisory and consultative support throughout various regions. Since the State's commitment to the Beijing Declaration in

1995, it has been dedicated to advancing gender policies. In December of 1998, the National Commission on Women's Affairs, Family, and Demographic Policy was established by presidential decree and continues to provide advisory and consultative support throughout various regions.

The Family and Demographic Policy Commission is a consultative and advisory body, which was established by presidential decree under the leadership of the President of Kazakhstan. Its primary mission is to develop recommendations that will help to determine priorities, create and implement comprehensive State policies on family and gender equality, analyze the status of women and families, and address demographic challenges in the country. The Commission provides proposals and recommendations to State bodies on key areas of gender, family, and demographic policy in Kazakhstan. Furthermore, it strives to promote equal opportunities for women and men in the economic sphere and encourages entrepreneurship development for both genders.

In September 2015, Kazakhstan made a commitment to the United Nations Sustainable Development Goals (SDGs), with a particular focus on gender equality. SDG 5 aims to empower girls and women and eliminate gender discrimination by ensuring equal opportunities and treatment. [6] In order to achieve these goals, the state must adapt and integrate them into their strategic directions and objectives. Currently, the UN SDGs are 79.9% integrated into strategic state programs. Kazakhstan has already adopted and implemented the Concept of Gender Policy until 2006 and the Strategy for Gender Equality in the Republic of Kazakhstan for 2006-2016. This step has paved the way for creating and improving national legislation in favor of gender equality.

International agreements and commitments also acknowledge the need to eliminate discrimination against women of all ages in all spheres of life, including leadership and decision-making positions. The Charter of the United Nations enshrines the principles of equality and prohibition of discrimination, which are the foundation of gender equality and women's political participation and representation in politics and decision-making.

The Preamble of the Charter underscores the importance of reaffirming faith in fundamental human rights, the dignity, and worth of human beings, and the equal rights of men and women.

On December 18, 1979, Kazakhstan became a signatory to the Convention on the Elimination of All Forms of Discrimination against Women. This is a significant international accord that mandates participating nations to eliminate discrimination against women and advance gender parity across all domains, including politics. Pursuant to the Convention, states must adopt efficient measures to enable women to engage in decision-making throughout all strata of the political spectrum.

Results

Over the years, significant progress has been made in increasing the number of women in elected bodies through the gender strategy implementation.

As an illustration, during the initial year of implementing the Gender Strategy (2006) in the Majilis of the Parliament of the Republic of Kazakhstan, the percentage of female representation was only 10.4%. However, by the final year (2016), it had risen to 27.6%. [7]

In 2022, there was an increase in the number of individuals with special needs who were included. [8] At our organization, we strongly advocate for the representation of women and youth in politics, given that they compose more than half of Kazakhstan's population. Their diverse viewpoints provide valuable insights into social challenges that they encounter more frequently, which can enhance the effectiveness of government frameworks. We firmly believe that establishing quotas for women and youth is not discriminatory, but rather a means to address inequalities and advance equal opportunities, particularly in decision-making spheres. [9] Aida Alzhanova, a candidate withdrawn from the election, calls the quota for women, youth and people with disabilities "discriminatory" [8]

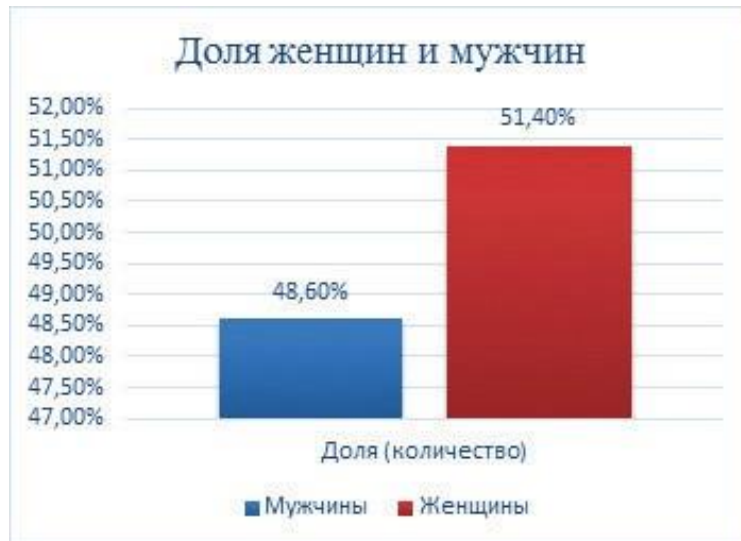
Despite the fact that the law stipulates a special quota for women, its observance is questionable. According to Zulfiya Baisakova, Chairperson of the Board of the Union of Crisis Centres, an association of legal entities, "There is still no mechanism to control or sanction

non-compliance with the quota, which means that parties may not be able to ensure that women retain their seats in parliament. [10]

According to Figure 2, [11] over half of the population in the country is female. However,

the proportion of women in various fields does not surpass 50 percent, and in public administration and elected positions, it is even lower, at only 30 percent, as shown in Figure 3. [12]

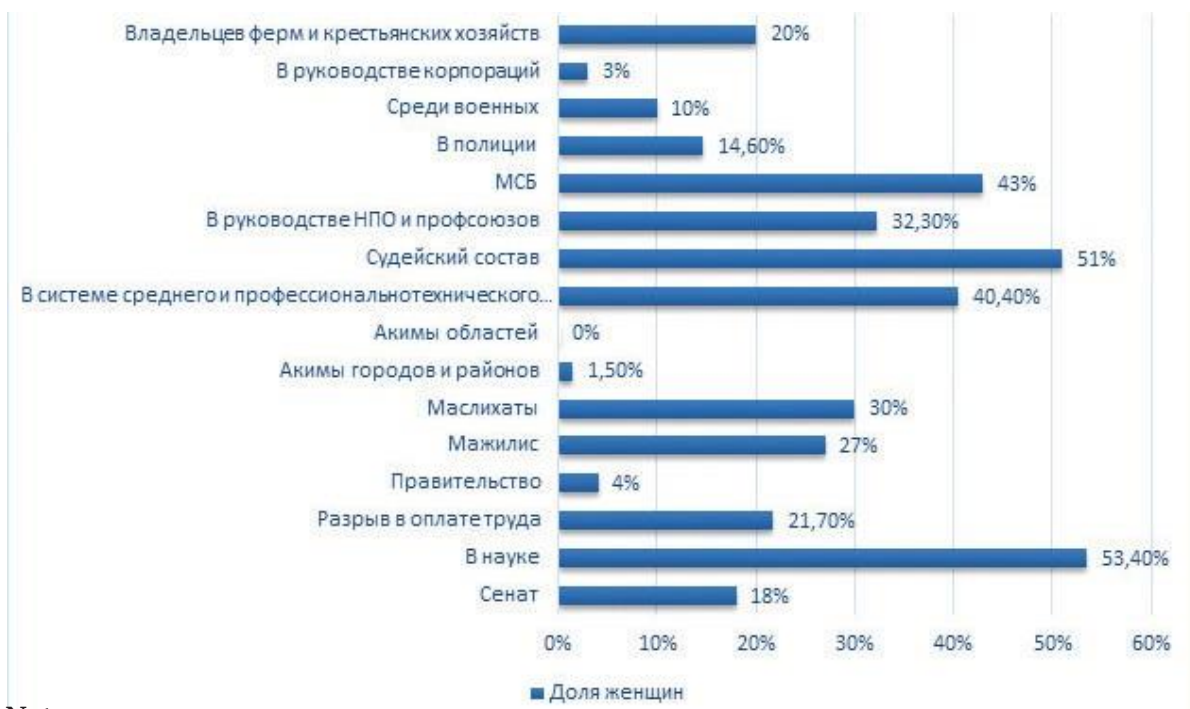
Figure 2



Notes:

1. Compiled from source 11;
2. Systematised by the author.

Figure 3.
Women's activities in Kazakhstan for September 2022.



Notes:

1. Compiled from source 12;
2. Systematised by the author

Upon analyzing the diagram provided, it is apparent that women are adequately represented in certain areas, such as science, secondary and vocational education, the judiciary, and small to medium-sized businesses. However, there is a noticeable disparity in the representation of women in decision-making systems like the government, Majilis, Maslikhats, Akimats, Senate, and corporations. The number of women occupying these positions is considerably low.

Conclusion

An essential tactic for encouraging the involvement of women in politics is the incorporation of gender quotas. Kazakhstan has implemented a gender quota system to promote increased gender equality in parliament and other elected bodies. This legislation designates a certain percentage of parliamentary seats exclusively for women, which boosts their participation in political decision-making and advances their representation in political establishments.

Despite the implementation of legal measures, there remains a significant amount of work to be done in the pursuit of gender equality and the advancement of women's

political involvement in Kazakhstan. Continuing to educate and raise awareness regarding women's rights and political opportunities is imperative. Additionally, it is essential to establish supplementary mechanisms that endorse women in leadership roles and foster an environment conducive to their growth in politics. These are critical actions in guaranteeing that everyone is afforded equal opportunities.

In order to uphold democratic values and promote gender equality, it is essential to establish regulations that encourage women's involvement in politics within Kazakhstan. This approach empowers women to engage in political proceedings, contribute to crucial decision-making, and shape the direction of the nation. It is imperative to continue dismantling the barriers women encounter in politics and work towards a level playing field for all Kazakhstani citizens.

Funding

The work was carried out with the financial support of the Science Committee of the Ministry of Science and Higher Education of the Republic of Kazakhstan (IRN No. AP14972304).

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Әйелдердің Қазақстан Республикасында саяси өмірге қатысудың нормативтік-құқықтық базасы

Аңдатпа. Бұл мақалада өркендеп келе жатқан демократияның маңызды негізі ретінде әйелдердің саяси өмірге қатысуына ықпал ететін Қазақстандағы заңнамалық шаралар қарастырылады, қол жеткізілген прогресс қарастырылып, проблемалар анықталады.

Нормативтік-құқықтық базаға, атап айтқанда, әйелдердің елдің саяси өміріне саяси қатысуын реттейтін, ерлер мен әйелдердің тең құқықтары мен тең мүмкіндіктеріне кепілдік беретін, саяси саладағы жыныстар теңсіздігін жою үшін шараларды қамтамасыз ететін, жыныс белгісі бойынша кемсітушіліктің барлық нысандарын жоюға бағытталған халықаралық және ұлттық құқық нормаларға талдау жасалды.

Сондай-ақ, мақаланы дайындауда интернет-ресурстарға контент-талдау және мониторинг жасалды, әйелдерге, жастарға және мүгедектігі бар адамдарға бөлінген квоталарға қатысты сарапшылардың пікірлері ескерілді, олар өз кезегінде екіге бөлінеді. Егер кейбіреулердің пікірінше, квоталау кемсітушілік болса, басқалары квоталар әйелдердің саяси құқықтарын жүзеге асыруға ықпал етеді деп санайды.

Статистикалық мәліметтерге талдау жасалды. Ғылым, орта және кәсіптік-техникалық білім беру жүйесі, сот жүйесі, шағын және орта бизнес сияқты әртүрлі салалардағы, сонымен қатар үкімет, Мәжіліс, мәслихаттар, әкімдіктер, Сенат, корпорациялар сияқты шешім қабылдау жүйелеріндегі әйелдердің өкілдігі қарастырылды.

Түйін сөздер: саяси қатысу, әйелдердің саяси қатысуы, саясаттағы әйелдер, Қазақстан Республикасы, Халықаралық құқық, ұлттық заңнама, демократия, әйелдердің өкілдігі, теңдік, сайлау.

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Участие женщин в политической жизни Казахстана: законодательные аспекты

Аннотация. В данной статье рассматриваются законодательные меры в Казахстане, способствующие участию женщин в политической жизни, как важнейшая основа процветающей демократии, освещается достигнутый прогресс, выявляются проблемы.

Составлен анализ нормативно-правовой базы, а именно норм международного и национального права, регулирующих политическое участие женщин в политической жизни страны, гарантирующие

равные права и равные возможности мужчин и женщин, обеспечивающие меры для устранения неравенства полов в политической сфере, направленные на ликвидацию всех форм дискриминации по признаку пола и обеспечение равенства возможностей и обращения для девочек и женщин.

Также в подготовке статьи составлен контент-анализ и мониторинг интернет-ресурсов учтены мнения экспертов касательно выделенных квот для женщин, молодежи и людей с инвалидностью, которые в свою очередь делятся на два. Если по мнению одних квотирование является дискриминацией, то другие считают, что квоты способствуют реализации политических прав женщин.

Сделан анализ статистических данных. Рассмотрена представленность женщин в разных сферах, такие как наука, система среднего и профессионально-технического образования, судебная система, малый и средний бизнес, в системах принятия решения, как правительство, Мажилис, маслихаты, акиматы, Сенат, корпорации.

Ключевые слова: политическое участие, политическое участие женщин, женщины в политике, Республика Казахстан, международное право, национальное законодательство, демократия, представленность женщин, равноправие, выборы.

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