

Domestic Violence in Central Asia

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1. Introduction

Domestic violence - is a pattern of behavior where a person gains and maintains control, superiority over their partner. Domestic abuse might happen between any family members and relatives. Abuse is presented in various forms: sexual, physical, psychological, emotional, economic. Abuse can include different behavior that manipulate, gaslight, frighten, hurt, and daunt. Domestic violence can happen to everyone regardless of their race, religion, nationality, sexual orientation, and gender.

Calculation published by WHO (World Health Organization) indicate that globally about 1 in 3 (30%) of women around the globe have been subjected to either sexual and/or physical violence from a partner in their lifetime [1]. Domestic violence is a widespread issue in Central Asian countries. (Uzbekistan, Kazakhstan, Tajikistan, Turkmenistan and Kyrgyzstan) News about domestic violence cases against women committed by partners, husbands, lovers, boyfriends appear in media on a regular basis. According to the UN, 18% of women from the countries of Central Asia reported that they had personally experienced domestic violence and discrimination [2]. Apart from that, a large proportion of women do not know where and how to seek help in cases of domestic violence. It is clearly displaying the growing scale of the issue and the shortage of effective methods in resolving this problem. In this article I will examine the number of domestic violence victims across 3 Central Asian countries in recent years, the key reasons behind domestic violence, attitudes of victims after being trapped in the hands of abusers, laws against domestic violence, and efficiency of efforts in combating this issue.

1.1. Legal Protection

Uzbekistan, Kazakhstan, and Kyrgyzstan have developed and are still developing laws aimed at creating a safe environment for women.

In Kazakhstan, domestic violence has been regulated by the Criminal Code since 1997, which provided for penalties from imprisonment up to 7 years and up to fines and community service depending on the severity. After several

reforms in 2017, certain articles for domestic violence were decriminalized and they were transferred from the Criminal Code to the Code of Administrative Offenses. The amounts of fines for domestic crimes were reduced, and the term of imprisonment was reduced to 15 days. In 2020, the law "On Prevention of Domestic Violence" was updated. It listed a number of measures to prevent domestic violence, and replaced fines with a court warning. In addition, the article on reconciliation of the parties was returned (which was impossible if the rapist was brought to criminal responsibility). The Ministry of Foreign Affairs and the Prosecutor General's Office of the Republic of Kazakhstan said that this was done in order to "strengthen preventive work with violators and simplify the procedure for bringing the offender to justice" [3].

Compared to other countries in the region in Kyrgyzstan, the law against domestic violence is considered more progressive. If before law enforcement agencies took action only with the application of the victim, then with the adoption of the law «On Protection and Protection from Domestic Violence» in 2017, they counteract violence upon the application of a witness to violence or a medical worker. Also, according to the law, a security warrant is issued for three days (with the possibility of extension for a month), which prohibits the rapist from contacting the victim. In addition to punishment, the law also provides for a mandatory, state-sponsored correctional program for rapists.

Until 2019, Uzbekistan remained a country where the law did not protect victims of domestic violence. In 2019, the law «On Guarantees of Equal Rights and Opportunities for Women and Men» and the Law «On Protection of Women from Harassment and Violence» were adopted. The first states that gender discrimination in different spheres of activity is unacceptable and clarifies a number of terms relating to gender equality. According to the second law, victims of domestic violence receive assistance from law enforcement agencies, free economic, social, psychological, medical and legal assistance in the centers or through a free hotline. In addition, they can demand the issuance of a security warrant and inform about the violation of the warrant. The

order is issued for a maximum of 30 days. Thanks to it, the authorities ensure the safety of women and children from rapists to prevent the consequences of domestic violence. For violation of the warrant, the rapist or oppressor is fined or 15 days of administrative arrest. In addition, while the warrant is valid, the aggressor is prohibited from storing and carrying civilian weapons. In Uzbekistan, domestic violence was criminalized only in April 2023, and in the same year 9,131 people were found guilty under this law and brought to administrative and criminal responsibility. In the first 4 months of 2024, 4000 were brought to justice for domestic violence [4].

1.2. Premises of Domestic Violence and Handicaps in the Fight of it

The dominance of patriarchal values, both among the aggressors and among women themselves, is a huge obstacle to solving the issue of gender-based violence. From childhood, girls are raised to be submissive and obedient, prepared for the role of future wife, whose task is to do household chores. In addition, in Kazakhstan and Uzbekistan there is discrimination against girls in access to education by their relatives. As a result, this leads to the fact that women are less likely to participate in the economic life of society, they have a low level of education. Such women become socially and economically dependent on their future husband or partner.

Concern is caused by the fact that the victim is often subjected to pressure primarily from his relatives, who blame the victim herself. In addition, it is forced to agree to the conditions of the aggressor or his relatives, who seek to resolve the conflict «between themselves and without the interference of outsiders». In such situations, the rapist often marries his victim. Thus, he avoids punishment, but does not stop aggression towards the «wife» in the family.

Widows, immigrants, divorced women, women from socially vulnerable groups and women with disabilities are the most vulnerable. They are more often subjected to condemnation by others and are discriminated against in the workplace.

As a systemic problem, experts single out the dominance of male officers who adhere to patriarchal stereotypes towards women in leadership positions in the state structure and in law enforcement agencies. They consider gender-based violence to be the norm and impede the resolution of women's rights. According to experts, there are often cases when employees of the authorities do not start a case and explain that violence between partners is a family matter, and there is no need to «take out the litter from the hut».

Another obstacle to preventing violence is the lack of motivation among law enforcement officers to resolve cases. Thus, police officers often try to reconcile the victim with the aggressor in order not to start a case at the stage of filing an appeal or close it before bringing it to court. Often the reason is, according to experts, low wages, unwillingness to increase the number of new cases [4].

1.3. Statistics of Violence in 3 Countries

It is difficult to track annual statistics of domestic violence cases, since not all of these countries present this information. Even if some statistics is given, it is far from a real number of victims as majority prefer not to report on.

The results of the sociological study that was conducted in 2021 by a student of the National Research University "Higher School of Economics" in Tashkent Elina Rustamova show that the overwhelming majority of respondents (83%) believe that the problem of violence against women is widespread in Uzbekistan. At the same time, 43% of respondents admitted that they were subjected to violence by their husband or partner. The victims of violence were women aged 18 to 57. Most of the respondents who faced violence are married or in unregistered relationships, have higher education and work [5].

According to the Ministry of Internal Affairs of Kazakhstan, in 2023 police received 99,026 complaints related to domestic violence, and the courts brought 67,270 people to administrative responsibility [6].

In Kyrgyzstan, 4,767 cases of domestic violence were registered in four months of 2024, which is 632 cases more compared to the same period last year. Such data was provided by the Ministry of Internal Affairs of the Kyrgyz Republic [7].

Non-Governmental Organizations and Activists Movements
There are 28 crisis centers for victims of domestic violence in Kazakhstan. Seven of the centers are state-supported shelters that accept victims of domestic violence only after they file a police report. However, if a victim of domestic violence does not report the incident, they cannot use the services of the state centers.

In Uzbekistan, primary care rooms began to appear for victims of domestic violence in the emergency departments of central hospitals, the chief social specialist of the Republican Center for Women's Rehabilitation and Adaptation told Kun.uz Dilfuza Shodieva. Round-the-clock primary care rooms have been operating in Djizak, Navoi and Khorezm regions since June 1, 2024.

When contacting the mahalla or the Inson center, the degree of danger to the life of the victim of domestic violence and family members is immediately revealed. If necessary, the primary care room is provided for three days. The same decision is made in case of a call at the number 102.

Crysis Center «Sezim» in Kyrgyzstan was founded in 1998. The main purpose of the creation of the center was to protect women's rights and provide legal and psychosocial assistance to girls/women and their family members affected by violence and human trafficking.

1.4. Activist Movements

In four countries of the region, civil initiatives such as «Nemolchi.uz», «SVET» funds, «Women's Democratic

Network», other NGOs, crisis and financial centers are actively working and helping victims.

In Tajikistan, Internet activists such as «Let's talk, sister!», «Tajik mothers» groups, «Forum Ya», the «We can» project covers the stories of women with disabilities, topics on cyberbullying and online harassment, photo stories and women's success stories.

Nemolchi.uz is an independent information project against violence in Uzbekistan, established in 2017. The project was created to draw attention to violence against women and change society's attitude to such an issue. Victims of gender-based violence can anonymously share with their stories and receive psychological support for free.

In Kazakstan «Svet» fund is operating, where victims of domestic violence can receive support and help. Hundreds of people have done psychological therapies. The fund also offers personal consultations, lectures, workshops and events with specialists.

The Central Asian Alliance to End Gender-Based Violence (GBV) was established within the framework of the Spotlight Initiative Regional Programme for Central Asia and Afghanistan by the European Union and the United Nations, aimed at eliminating all forms of violence and harmful practices against women and girls. During the opening ceremony of the Alliance, the EU Ambassador to Kazakhstan Kestutis Jankauskas said: "The European Union, Central Asian countries and UN partners are working together to eliminate all forms of violence against women and girls. We are joining forces within the framework of the Spotlight Initiative and creating the Central Asian Alliance to End Sexual and Gender-Based Violence, which will help us all move towards a more modern and just society».

2. Results

Today, the criminalization of domestic violence has become one of the most discussed topics in the countries of Central Asia. Taking into account the norms of the UN Convention on the Elimination of Discrimination against Women, the Istanbul Convention and other international human rights treaties, experts, activists and practitioners call for tougher punishment for domestic violence.

Currently, the fight against domestic violence in Central Asia is mainly limited to administrative measures. However, the effectiveness of such measures is often criticized, as they do not reduce the prevalence of violence against women. Some countries in the region are already taking steps to amend the criminal and civil codes to toughen the punishment for domestic crimes. Even if steps and actions are being taken to improve the situation around domestic violence in Central Asia, it is not bringing desired and expected results. Further and additional work is required to shift public awareness, ensure access to help for victims, and improve legislation. For now, major cases like the televised trial of Kuandyk Bishimbayev are still needed to make progress and achieve victories in the fight of domestic violence.

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