

МЕМЛЕКЕТТІК БАСҚАРУ ЖӘНЕ МЕМЛЕКЕТТІК ҚЫЗМЕТ

PUBLIC ADMINISTRATION AND CIVIL SERVICE

ГОСУДАРСТВЕННОЕ УПРАВЛЕНИЕ И ГОСУДАРСТВЕННАЯ СЛУЖБА

A COMPARATIVE STUDY OF DOMESTIC VIOLENCE IN KAZAKHSTAN AND UZBEKISTAN: LEGAL FRAMEWORKS AND NGO INTERVENTIONS

Aynura
AYTMURATOVA*

Ph.D. Student in Municipal and Public Administration, KIMEP University, Almaty, Kazakhstan, aynura.aytmuratova@kimep.kz, ORCID ID: <https://orcid.org/0000-0003-1479-8159>

Manuscript received: 28/02/2023

DOI: 10.52123/1994-2370-2023-1024

UDC 351

CICSTI 82.13.37

Abstract. This article discusses the issue of domestic violence in Kazakhstan and Uzbekistan, two Central Asian countries that have both experienced significant challenges in addressing this problem. While both countries have enacted laws and policies aimed at preventing and addressing domestic violence, these efforts have been hampered by a range of factors, including cultural norms, social stigma, and limited funding. Despite these challenges, NGOs in both countries have played a critical role in providing support to survivors of domestic violence and advocating for policy changes.

This article examines the similarities and differences between the legislative frameworks in both countries, as well as the main causes of domestic violence in each context. It also compares the role of NGOs in tackling domestic violence, highlighting the challenges and successes experienced by these organizations. Ultimately, the article argues that while progress has been made in addressing domestic violence in both countries, there is still much work to be done to ensure the safety and well-being of all individuals affected by this issue.

This article was supported by a Marie Curie Research and Innovation Staff Exchange scheme within the H2020 Programme (New Markets, no: 824027).

Keywords: domestic violence, NGOs, Uzbekistan, Kazakhstan, legislation, causes, prevention.

Аңдатпа. Бұл мақала Қазақстан мен Өзбекстандағы тұрмыстық зорлық-зомбылық мәселесін қарастырады. Екі ел де тұрмыстық зорлық-зомбылықтың алдын алу және онымен күресу үшін заңдар қабылдағанымен, бұл заңдарды жүзеге асыруға мәдени нормалар, әлеуметтік стигма және шектеулі қаржыландыру сияқты бірқатар факторлар кедергі келтірді. Осы кедергілерге қарамастан, екі елдің үкіметтік емес ұйымдары (ҰЕҰ) тұрмыстық зорлық-зомбылық құрбандарын қолдауда және олардың құқықтарын қорғауда маңызды рөл атқарды.

Мақалада екі елдің заңнамалық базаларындағы ұқсастықтар және айырмашылықтар, сондай-ақ әрбір контексттегі тұрмыстық зорлық-зомбылықтың негізгі себептері қарастырылады. ҰЕҰ-ның тұрмыстық зорлық-зомбылықпен күресудегі рөлі де салыстырылып, осы ұйымдардың басынан өткерген қиындықтары мен жетістіктерін көрсетеді. Мақалада екі елде де тұрмыстық зорлық-зомбылықпен күресудегі ілгерілеушілікке қарамастан, осы проблемадан зардап шеккен барлық адамдардың қауіпсіздігі қамтамасыз ету үшін әлі де көп жұмыс істеу қажет екендігі айтылады.

Түйін сөздер: тұрмыстық зорлық-зомбылық, ҰЕҰ, Өзбекстан, Қазақстан, заңнама, себептер, алдын-алу.

Аннотация. Эта статья рассматривает проблему бытового насилия в Казахстане и Узбекистане. В данных двух странах Центральной Азии бытовое насилие является серьёзной проблемой, который требует решения. Несмотря на то, что обе страны приняли законы и политики, направленные на предотвращение и борьбу с бытовым насилием, эти усилия были затруднены рядом факторов, включая культурные нормы, социальный

* Corresponding author: A. Aytmuratova, aynura.aytmuratova@kimep.kz

стигмы и ограниченное финансирование для НПО которые работают с жертвами бытового насилия. Несмотря на эти препятствия, НПО в обеих странах сыграли важную роль в оказании поддержки жертвам бытового насилия и защите их прав.

В статье исследуются сходства и различия в законы обеих стран, а также основные причины семейного насилия в каждом контексте. Также сравнивается роль НПО в борьбе с бытовым насилием. В конечном итоге статья утверждает, что несмотря на прогресс в решении проблемы семейного насилия в обеих странах, еще много работы нужно проделать для предотвращения данной проблемы.

Ключевые слова: бытовое насилие, НПО, Узбекистан, Казахстан, законодательство, причины, предотвращение.

Introduction

Domestic violence is a global issue affecting millions of people every year, and Central Asia is no exception. In this article, we will explore the situation of domestic violence in two countries in Central Asia: Kazakhstan and Uzbekistan. These countries share many similarities in terms of culture, language, and history, but they also have distinct characteristics that influence their approach to domestic violence.

In recent years, both Kazakhstan and Uzbekistan have taken steps to address domestic violence, including the adoption of laws and policies aimed at protecting survivors and punishing perpetrators. However, there are still many challenges and shortcomings in the implementation of these measures, and the prevalence of domestic violence remains high in both countries. NGOs play an essential role in supporting survivors and advocating for policy change, but they also face significant obstacles and limitations.

Through this article, we aim to provide a comparative analysis of the situation of domestic violence in Kazakhstan and Uzbekistan. We will examine the legislation and policies of each country and assess their effectiveness in preventing and addressing domestic violence. We will also explore the main causes and factors contributing to domestic violence in each country, as well as the role of NGOs in tackling this issue.

Materials and Methods

Several sources were used to gather data for the discussion section of this article. The primary sources included national reports, academic research articles, and news articles from reputable sources. These sources provided information about the prevalence of domestic violence, the legal framework in each country, the main causes of domestic violence, and the role state,

legislation and NGOs in addressing this issue.

To ensure accuracy and reliability, the information gathered from these sources was cross-checked with other reputable sources, including reports from international organizations such as the United Nations and Human Rights Watch. The information was also analyzed and synthesized to identify commonalities and differences between the two countries in terms of the prevalence of domestic violence, legal framework, causes, and the role of state and NGOs.

In the discussion section, a comparative approach was used to analyze the data gathered from the sources. Similarities and differences between the legal frameworks of Kazakhstan and Uzbekistan were compared, as well as the main causes of domestic violence in each country. The discussion also analyzed the roles played by NGOs and state in addressing domestic violence in both countries.

Overall, a rigorous and systematic approach was used to gather, analyze, and synthesize information from multiple sources. This approach ensured that the discussion section was based on accurate and reliable information and provided a comprehensive analysis of the issue of domestic violence in Kazakhstan and Uzbekistan.

Domestic violence around the world

Domestic violence is a global issue affecting millions of individuals regardless of their gender, race, or socioeconomic status. According to the World Health Organization (WHO), one in three women worldwide has experienced physical or sexual violence, mostly by an intimate partner. Domestic violence is not limited to women, as men and children can also be victims. Additionally, older adults are increasingly recognized as a

population vulnerable to domestic violence (Acierno et al., 2010).

Domestic violence can take many forms, including physical, sexual, emotional, and financial abuse. It can cause physical injuries, emotional trauma, and a loss of self-esteem, leading to depression, anxiety, and suicidal thoughts (WHO, 2021). Children who witness or experience domestic violence are at risk of developing behavioral and emotional problems that can affect their academic performance and social relationships (Finkelhor et al., 2009). Domestic violence also has significant economic costs, including healthcare expenses, lost productivity, and increased criminal justice system costs (CDC, 2019).

Efforts to address domestic violence have been made globally, including legal reforms, public education, and support services for victims. For example, the Istanbul Convention, ratified by 34 European countries, aims to prevent and combat violence against women and domestic violence (Council of Europe, 2011). However, the effectiveness of these measures varies, and many countries lack adequate legal protections for victims of domestic violence (Heise et al., 2019).

The COVID-19 pandemic has exacerbated the problem of domestic violence, with stay-at-home orders and social distancing measures making it difficult for victims to seek help and escape abusive situations. According to the United Nations (UN), reports of domestic violence have increased by up to 30% in some countries since the outbreak of the pandemic (UN Women, 2021). The pandemic has highlighted the need for comprehensive prevention, intervention, and support services for victims of domestic violence.

Domestic violence is a complex and pervasive problem that requires a coordinated global response.

International laws and policies to prevent and intervene in violence against women.

International law and policy aimed at addressing domestic violence have been developed to promote the protection and empowerment of victims and survivors, and to hold perpetrators accountable for their actions.

One such policy is the United Nations' Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which recognizes violence against women as a form of discrimination and obligates states to take measures to prevent, investigate, and punish such violence (United Nations, 1979). In addition, the UN General Assembly adopted the Declaration on the Elimination of Violence Against Women in 1993, which defines violence against women as "any act of gender-based violence that results in, or is likely to result in, physical, sexual, or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life" (United Nations, 1993).

Another important international instrument is the Istanbul Convention, formally known as the Council of Europe Convention on preventing and combating violence against women and domestic violence, which was adopted in 2011 and came into force in 2014. The Convention requires states to take a comprehensive approach to addressing violence against women, including by criminalizing domestic violence and providing support services to victims and survivors (Council of Europe, 2011).

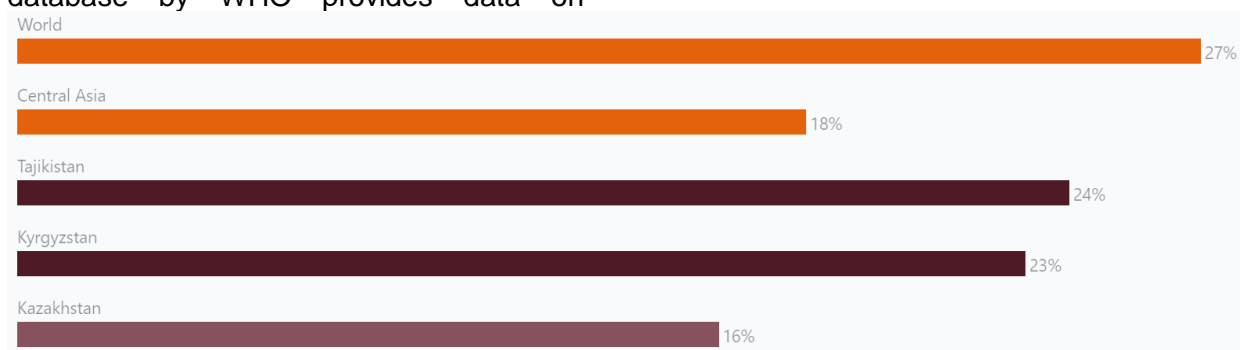
Statistics of Domestic Violence worldwide

The analysis of data and surveys based on reports of victims and survivors of domestic violence between 2000-2018 across 161 countries collected by WHO on behalf of the UN Interagency working group state that 1 in 3 women experiences domestic violence globally or 30%, of women, have been subjected to physical and/or sexual violence by an intimate (Violence Against Women Prevalence Estimates, 2018). This analysis highlights that a quarter of women aged 15-49 years have been subjected to physical and/or sexual violence by their intimate partner at least once in their lifetime (since age 15). According to these estimates, on a global scale, 38% of all murders of women are committed by their partners, and 6% of women report having been sexually assaulted by someone other than a partner. The situation got exacerbated during the COVID-19 pandemic because the lockdown

impacted the social and economic conditions of people and the exposure of women to abusive partners has risen and limited their access to services (Violence Against Women Prevalence Estimates, 2018).

The platform of a comprehensive database by WHO provides data on

domestic violence on population-based, nationally or sub-nationally representative surveys/studies conducted between 2000-2018 from 161 countries and areas. The below data represents the state of domestic violence in Central Asia.



Data retrieved from source: WHO, Global Database on the Prevalence of Violence Against Women, <https://srhr.org/vaw-data>

Figure 1 – The Prevalence of Violence Against Women, national estimates, 2000-2018, Age group 15-49, Intimate partner violence

The graph illustrates the ratio of domestic violence in the world against the countries of Central Asia. As presented in Figure 1, using the United Nations SDG regional classifications, the estimated lifetime prevalence of physical and/or sexual intimate partner violence among ever-married/partnered women aged 15–49 was 18% (UI 13–25%). The database of WHO does not provide domestic violence data on Uzbekistan during this period.

The end of the Soviet Union brought about extraordinary social and economic transformation in successor countries, gender equality in the region was seen as one of the most significant legacies of the socialist past, especially in Kazakhstan and Uzbekistan. The importance of preventative measures against domestic violence in these countries has been vivid in recent years.

Domestic violence in Kazakhstan in recent years

Domestic violence is a prevalent issue in Kazakhstan, with a significant proportion of women experiencing physical, psychological, and sexual abuse at the hands of their intimate partners. Domestic violence prevention is a top priority for the Republic of Kazakhstan's family and demographic policy.

According to the "National Report on countering domestic violence in the Republic of Kazakhstan" (2021), the number of criminal offenses in family and household relations are only growing. Over the past 3 years, a significant increase has been recorded, exceeding the figure of 1,000 criminal offenses per year, while a stable increase is observed in the categories of serious and especially serious crimes. The report highlights that the number of registered murders committed in the family increased from by 40%, murders committed by 66%.

Victims of domestic violence in Kazakhstan often face significant barriers when seeking help. The legal and justice systems are often unresponsive and ineffective in addressing domestic violence cases. Additionally, there is not enough support services for victims in all regions of Kazakhstan, such as shelters and hotlines, only in bigger cities. According to a report by Human Rights Watch, victims often face hostility and discrimination from police and healthcare workers when trying to access services (Human Watch, 2020).

In 2019, more than two million women were affected by domestic violence in Kazakhstan. Of these, 45% experienced psychological violence, 20% experienced physical violence, and only 7% of the victims

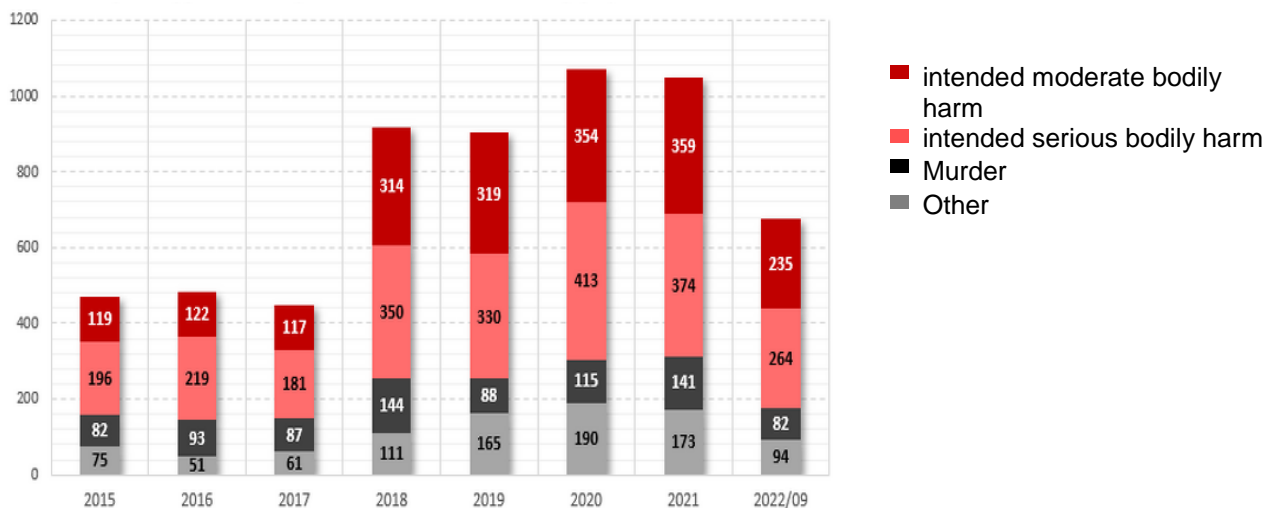
called the police (Zhapisheva, 2020). In the period from 2015 to June 2022, about 29.3 thousand cases of domestic violence were registered annually. During the same period, about 23.6 thousand people per year (about 80.4%) were given only warnings or fines by police for domestic abuse (National Report on countering domestic violence in the Republic of Kazakhstan, 2021).

According to the data voiced by Dina Smailova, president of the Nemolchi.KZ Foundation, from November 2019 to November 2020, the Foundation gave advice on the hotline to 4,530 people and 1,095 people on social networks.

The COVID-19 pandemic has further exacerbated the issue of domestic violence in Kazakhstan. During the lockdown, there was a sharp increase in the number of domestic violence cases reported in the country. As the national lockdown has restricted public movement, the majority of women who are married to violent husbands have found it impossible to ask for assistance because they are being monitored and observed inside their houses. During the lockdown, crisis centers in Almaty and Astana claim that they have received desperate messages from victims who are unable to call for assistance out of fear of being overheard by the perpetrators. Some

of these messages have mentioned suicidal tendencies. Since women are unable to leave their homes owing to lockdown restrictions and offenders are released after three hours of imprisonment, the frequency of police appeals has plummeted throughout the epidemic. Just two out of every ten female victims report offenses to the police, crisis centers highlight (Zhunusova, Sarachakova 2020, Smailova 2020, Kabilova, 2021). According to a report by the National Commission for Women's Affairs, Family and Demographic Policy, the number of domestic violence cases reported during the lockdown in Kazakhstan increased by 59% (National Commission for Women's Affairs, Family and Demographic Policy, 2020, p.15).

As indicated in Figure 2, the number of recorded cases of domestic violence escalated in 2018 and reached its peak during the COVID-19 pandemic. The lockdown has resulted in an increased number of registered cases of domestic violence in 2020 and 2021 and with the highest number of femicide in 2018 and 2021. The number of victims who suffered from serious bodily harm has always been high, yet during the lockdown, it reached its highest number reaching 413 thousand cases.



Data source: The image was retrieved from "How the problem of domestic violence is solved in Kazakhstan" by Forbes Kazakhstan, October 2022.

Figure 2 – Total number of criminal offenses between 2015-2022

Usually, criminal offenses are much less reported. According to the Legal Statistics Committee of the Prosecutor

General's Office, on average, from 2015 to September 2022, about 752 criminal cases of domestic violence, a year, and 84.7% of

those cases were classified as murder, intended moderate and serious bodily harm.

Many cases of domestic violence in Kazakhstan are not prosecuted, and even when perpetrators are brought to trial, they often receive lenient sentences. This lack of accountability can perpetuate a culture of violence and make it more difficult for victims to seek justice (Organization for Security and Cooperation in Europe, 2018).

Domestically abused women in Kazakhstan are not provided enough protection and have limited legal choices, according to reports from regional civil society organizations and international organizations.

In his speech at the fourth meeting of the National Council of Public Trust in November 2021, President of the Republic of Kazakhstan K.K. Tokayev stressed the significance of resolving this issue and gave instructions to improve the efficacy of preventive measures, create a system of social rehabilitation and educational work with aggressors, and fortify measures for the execution and enforcement of punishments meted out to offenders (Kazakhstan Institute of Public Development "Ruhani Zhangyru", 2021).

A significant improvement has been made in 2023 in legal and preventative measures against domestic violence, which will be discussed in further sections.

The State and Legislation against Domestic violation in Kazakhstan

After gaining independence in 1991, Kazakhstan began developing its legal system and human rights protections. In 1997, Kazakhstan adopted its first law specifically addressing domestic violence. This Law on State Guarantees of Equal Rights and Opportunities for Men and Women and was regulated by the Criminal Code, which provides for penalties ranging from the imprisonment of up to 7 years to fines and community service, depending on the severity (OSCE, 2016). However, this law did not provide adequate protection for victims of domestic violence, and there were no criminal penalties for perpetrators of domestic violence.

In 2009, Kazakhstan adopted a new law (which is still in force) "On the Prevention of Domestic Violence," that is aimed to

improve the legal framework for preventing and addressing domestic violence. The law describes basic concepts of domestic violence, subjects of the law, principles of prevention, types of domestic violence. The law provides measures in the form of protective orders and special requirements that establish certain prohibitions against the offender, the violation of which entails administrative responsibility. Based on this, courts have the authority to establish specific conditions for the conduct of individuals who have committed domestic violence, ranging from three months to one year. These judicial restrictions can be imposed concurrently with administrative penalties or as an alternative to them when the offender is no longer held administratively responsible.

Legislation regarding the prevention of domestic violence has undergone several amendments.

For instance, according to the Law of the Republic of Kazakhstan dated December 9, 2004, physical assault was decriminalized and reclassified as an administrative offense (Article 79-1 of the Administrative Code). Similarly, the Law of the Republic of Kazakhstan dated January 18, 2011, decriminalized intentional infliction of minor harm to health, also classifying it as an administrative offense (Article 79-3, Part 2 of the Administrative Code). However, with the implementation of the new Criminal Code of the Republic of Kazakhstan on January 1, 2015, these offenses were once again considered criminal acts (Articles 108 and 109 of the Criminal Code). To humanize criminal legislation, the Law of the Republic of Kazakhstan dated July 3, 2017, resulted in the decriminalization of these offenses, transferring them back to the category of administrative offenses (Articles 73-1 and 73-2 of the Administrative Code) (Law of the Republic of Kazakhstan, 2004, 2015, 2017).

On February 18, 2014, the Law introduced additional restrictions prohibiting individuals who have committed domestic violence from residing in the same dwelling as the victim if they have another place of residence available.

Another amendment on July 12, 2018, imposed a specific requirement banning the consumption of alcoholic beverages, as well as non-medical use of narcotic drugs, psychotropic substances, or their analogues.

It is important to note that the government's stance on responsibility for offenses within the family and household sphere has undergone multiple changes throughout the period of the country's independence.

In 2019, Human Rights Watch reported that "impunity for domestic violence remains the norm" in Kazakhstan and that "victims who seek protection from the police, or the courts face numerous obstacles and often receive little or no help" (HRW, 2019).

On September 2, 2019, Kazakhstan's new president, Kassym-Jomart Tokayev, said that in protecting the rights and security of its citizens Kazakhstan "urgently needs to tighten the penalties for sexual violence... and domestic violence against women." (Human rights watch, 2019, p.3). The law allows survivors to access shelters and other assistance as well as short-term protection orders, which are meant to forbid contact between a victim and their abuser for up to 30 days. Yet, neither the Criminal Code nor the Domestic Violence Law directly prohibits domestic abuse (Human Rights Watch, 2019, Shadinova, 2014).

In 2020, the law "On the 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 the reconciliation of the parties was returned (which would have been impossible if the rapist was prosecuted).

According to the Criminal Code of the Republic of Kazakhstan, the physical harm to an individual must be of a moderate degree to be considered a criminal offense. This is determined by the duration of the resulting health disorder, which should last longer than three weeks. As a result, a perpetrator of domestic violence can inflict severe injuries such as broken limbs, jaw, or head with a concussion on a family member, but if the victim is hospitalized for less than 21 days, these injuries are regarded as minor, and the offender may only receive a warning. Consequently, even the most severe cases of domestic violence in Kazakhstan often result in administrative liability or punishment by warning or fine, and it is unclear how much violence detection actually benefits the victims. (Forbes Kazakhstan, 2022).

Moreover, police and workers at crisis centers run by the government usually do not

receive enough specific training to adequately assist victims of domestic violence, according to Human Rights Watch (2019).

In Kazakhstan, domestic violence is still frequently regarded as a "family matter" and is underreported to the police. Activists for women's rights, attorneys, service providers, and survivors have all stated that social barriers prevent women from reporting abuse to anybody outside the home, including other family members.

According to the Ministry of Internal Affairs of the Republic of Kazakhstan presently 40 crisis centers are functioning throughout the country. Yet according to estimations, the ratio of Kazakhstan's population (over 18 million) against the total number of shelter spaces for domestic violence victims falls short of recommended standard of one shelter space per 10,000 people (Shadinova, 2022).

Human Rights Watch and women's rights lawyers and activists in Kazakhstan have called for the criminalization of family violence, greater accountability for abusers, and better support and protection for survivors.

Furthermore, according to the national report published by the Kazakhstan Institute of Public Development, "Ruhani Zhangyru" (2021), a comparison between Kazakhstan's legislation and international law reveals that the Law fails to adhere to the principles of legal technique. Specifically, it does not clearly define the goals and objectives necessary for effectively addressing domestic violence. The terminology used in the Law requires improvement. Consequently, the current definition of family and household relations is overly restrictive and does not align with international norms, which encompass a broader range of individuals. Therefore, it is necessary to revise the existing legislation concerning the prevention of domestic violence and introduce a new comprehensive law along with amendments and additions to the criminal, which all affirm the effectiveness of criminalizing domestic violence. Specifically, it is highlighted criminal liability be established for intentionally causing minor harm to health and physical assault.

The good part of this is that there have been recent positive changes in Kazakhstan's legislation against domestic

violence. Starting from May 19, 2023, amendments to the punishment for domestic violence will come into effect. These amendments aim to strengthen the responsibility for domestic violence and improve the legal response to such cases. The amendments include transitioning from a declarative to a revealing nature of registration, allowing the police to initiate cases of administrative offenses without the victims' complaint. Testimonies from witnesses, neighbors, and CCTV recordings will be sufficient to draw up a protocol, and the court will make the final decision (Mukhametgali, 2023).

Moreover, the amendments exclude the possibility of reconciliation between the parties involved in domestic violence, preventing psychological pressure on the victims and ensuring a more effective response (Mukhametgali, 2023). The amendments also strengthen administrative and criminal liability by introducing specific terms of arrest for different types of domestic violence offenses. A qualifying sign has been included in the articles of the Criminal Code related to bodily harm, allowing for increased liability and the application of sanctions (Mukhametgali, 2023).

This law will come into force from July 1, 2023. While these recent changes are steps in the right direction, there is still a need for further progress.

The main issue and causes of domestic violence in Kazakhstan.

According to the national report prepared by Kazakhstan Institute of Public Development on Counteracting Domestic Violence in 2021, the factors that contribute to the magnification of domestic violence can be internal and external. The report classifies low standard of living, lack of income and low education and other social factors (like pandemic) as external factors that influence domestic violence, whereas heavy consumption of alcohol, drugs and mental illnesses are the internal factors that trigger the rise of domestic violence. The results of the survey they have conducted reveal that the main reason is problems of a socio-economic nature, namely unemployment – 55.9%. Next biggest contributors according to the respondents are bad habits - 52.8% - alcoholism, drug addiction, gambling

addiction, 25.4% - moral and psychological, physical violence in the family to be the cause, 22.7% – stereotypical attitudes and beliefs, 20.9% – psychological deviations and disorders, 15.9% - low level of education and culture, 15.8% – material and financial dependence on a spouse, 15.1% – lack of criminal responsibility for domestic violence, 13.6% – high level of aggression in the family society, 10.0% – interference of relatives in the life of the family. Such reasons as the lack of authority of the institution of the family, insufficient preventive measures, insufficient implementation of programs of spiritual and moral education, misunderstanding between spouses, the negative impact of the Internet and so on were also mentioned.

Along with these results, many other different sources confirm similar factors that cause or manifests domestic violence.

Tastanbekova (2020) emphasizes financial dependence on male partners is one of the most significant risk factors for domestic violence among women in Kazakhstan. Economic factors are significant contributors to domestic violence in Kazakhstan. Poverty, unemployment, and financial stress can create tension and conflict within relationships, which can increase the likelihood of violence.

UNFPA (2016) highlights the influence of gender roles in society, namely the patriarchal nature of Kazakh society. Traditional gender roles and beliefs about the superiority of men and the subservience of women are deeply ingrained in the culture. As a result, women are often viewed as inferior to men and are expected to be obedient and submissive to their husbands. This can lead to situations where men feel entitled to control and abuse their partners (UNFPA, 2016).

Lack of legal and institutional support for victims of domestic violence is another factor that contributes to the problem. While Kazakhstan has laws in place to protect victims of domestic violence, they are not always enforced effectively. Additionally, there is a lack of resources and support services for victims, such as shelters and counseling services. Many victims may be reluctant to seek help due to the stigma and shame associated with domestic violence (UNFPA, 2016).

Alcohol abuse is also closely associated with domestic violence in Kazakhstan. Heavy drinking is a prevalent problem in the country, and many perpetrators of domestic violence are under the influence of alcohol when they commit abuse. According to a study by UNESCO (2017), alcohol consumption by men is a significant risk factor for domestic violence against women in Kazakhstan.

Finally, cultural attitudes and beliefs about violence play a significant role in the prevalence of domestic violence in Kazakhstan. Some traditional beliefs, such as the acceptance of physical punishment and the belief that women are responsible for provoking men's violence, contribute to the normalization of domestic violence in society (Tastanbekova, 2020).

Domestic violence in Kazakhstan is a complex problem that is influenced by several factors, including traditional gender roles, economic stress, lack of legal and institutional support, alcohol abuse, and cultural attitudes toward violence. Addressing these issues will require a multifaceted approach that includes promoting gender equality, improving access to support services for victims, strengthening legal protections, and addressing the broader cultural and social factors that contribute to domestic violence.

However, the imperfection of legislation to address domestic violence brings impunity for aggressors. The decriminalization of certain articles on criminal penalties in the field of domestic violence has increased the number of victims of Domestic violence. The following section will look at the legislation against domestic violence.

The role of NGOs in tackling domestic violence and their contribution to policy change in Kazakhstan

Non-governmental organizations (NGOs) play an important role in providing assistance to victims and raising awareness about domestic violence and advocating for policy changes to better protect victims. The number of NGOs working with victims of domestic violence in Kazakhstan has grown significantly over the past two decades.

According to the Ministry of Internal Affairs of Kazakhstan, there are a total of 33

crisis centers in the country, offering 816 places for individuals in need. These centers are distributed across 11 regional centers, 15 city centers, and 7 district centers. The responsibility for these centers lies with the Ministry of Labor and Social Protection of the Republic of Kazakhstan. These crisis centers operate 24/7 and provide a range of services, including social, medical, psychological, pedagogical, labor-related, cultural, economic, and legal assistance. Their primary aim is to offer support and aid to families and young mothers facing challenging life circumstances, while also providing comprehensive assistance in the development of family institutions. It is worth noting that the information and contact details of these crisis centers in Kazakhstan are not publicly accessible on the government's official website or other state entities' websites, including the Ministry of Internal Affairs of the Republic of Kazakhstan (Sultan, 2020).

As report by Kazakhstan Institute of Public Development, "Ruhani Zhangyru" (2021) indicates there is an Order dated December 21, 2016, No. 1079, titled "On Approval of the Standard for Provision of Special Social Services to Victims of Domestic Violence," that governs the activities of crisis centers that assist victims of domestic violence. These standard grants crisis centers in Kazakhstan the authority to give victims of domestic abuse access to a variety of services.

Another NGO that has made significant contributions to tackling domestic violence in Kazakhstan is the Association of Crisis Centers for Women and Children. An umbrella organization of 16 nongovernmental organizations (NGOs), Zulfia Baisakova, the head of the organization, said it receives about 14,000 calls annually regarding domestic violence, the vast majority from women. The organization is made up of several crisis centers throughout the country and provides a range of services to victims of violence, including legal assistance, counseling, and shelter. The organization has also been involved in advocating for policy changes related to domestic violence, including the adoption of the Law on Prevention of Domestic Violence (Association of Crisis Centers for Women and Children, n.d.).

The positive contributions made by NGOs and international organizations in the prevention of domestic violence are also recognized by the Kazakhstan Institute of Public Development and other state institutions.

These contributions include public education, training programs for law enforcement, government officials, and civil activists on modern strategies for preventing and addressing domestic violence. International organizations and NGOs also play a role in providing legal expertise on legislation and developing recommendations for enhancing laws in this field. As an illustration, an annual international conference called "16 days of active action against violence" is organized in November by the National Commission on Women's Rights and Family and Demographic Policy, along with UN-Women and OSCE missions in Kazakhstan. Additionally, international and local grants are allocated by UN Women, UNICEF, UNFPA, and OSCE missions in Kazakhstan to support research in the prevention and response to domestic violence, particularly concerning women, children, and individuals with disabilities (Kazakhstan Institute of Public Development, "Ruhani Zhangyru", 2021).

NGOs have played a crucial role in advocating for policy changes related to domestic violence in Kazakhstan and pushing for the implementation of laws that protect victims. However, NGOs that work with victims of domestic violence face various challenges that hinder their efforts to provide effective assistance to victims.

One of the primary challenges is limited resources and funding, which can limit their ability to provide support and services to victims of domestic violence. Many NGOs that work on domestic violence rely on donations and grants, which can be unpredictable and insufficient to meet the needs of victims. (Kabilova, 2021).

NGOs also face cultural and social barriers, as many people in Kazakhstan view domestic violence as a private family matter and are reluctant to report it or seek assistance and cultural barriers, as many people in the region still hold traditional views on family and gender roles (Eurasianet, 2020).

The next issue is the legal framework for addressing domestic violence in

Kazakhstan is still relatively new, and many victims may not be aware of their legal rights or how to access legal assistance. In addition, the legal system can be slow and difficult to navigate, which can discourage victims from seeking justice.

Despite these challenges, many NGOs in Kazakhstan are working tirelessly to provide support and advocacy for victims of domestic violence. They are using innovative approaches to overcome cultural and legal barriers and are collaborating with other organizations to build a strong network of support for victims. By continuing to raise awareness, provide support and advocacy, and push for policy changes that protect victims and promote gender equality, these organizations are making a significant contribution to the fight against domestic violence in Kazakhstan.

Domestic violence in Uzbekistan

For a long time, gender-based or domestic violence has been a neglected matter in Uzbekistan. Although there is a lack of official information regarding domestic violence in the country.

The recent reports suggest an increased focus on addressing the issue. The Ministry of Internal Affairs has taken steps to issue protection orders, indicating a recognition of the problem and government has increased funding for services to support victims of domestic violence, and awareness-raising campaigns have been conducted to change societal attitudes toward violence against women. In addition, some non-governmental organizations (NGOs) have been working to support victims and raise awareness of the issue.

Yet, at the same time, as the women's activists in Uzbekistan state that many people believe in stereotypes and patriarchal attitudes that blame women for domestic violence and see it as a normal part of marital conflicts. These beliefs are also prevalent among officials such as police officers, prosecutors, and judges (International Partnership for Human Rights, 2022).

Domestic violence was always considered as family matter; thus, the instances of domestic violence are seldom brought before the court system. As outlined in the Criminal Procedure Code, the Prosecutor General's Office is only empowered to initiate prosecutions ex officio

in situations where the injuries are categorized as moderate or severe, or when they lead to death. In all other instances, victims are required to pursue private prosecution, which presents a considerable barrier to attaining justice for those affected (International Partnership for Human Rights, 2022).

Since the pandemic began, Uzbekistan has seen a rise in domestic violence against women and girls. While official statistics are not available, the Ministry of Internal Affairs reported issuing over 8,430 protection orders between January and October 2020, with around 4,330 cases involving physical abuse and 3,200 cases involving emotional abuse. The majority of violence, over 7,600 cases, occurred within families, with husbands being the most common aggressors in nearly 5,920 cases (Mantovanelli, 2020). From January to November 2021, there were 35,994 cases of violence against women including psychological violence, physical violence, economic violence, sexual violence, and harassment. The majority of victims were over 30 years old, with 9,835 between 18 and 30, and 352 under 18 years of age (International Partnership for Human Rights, 2022).

According to the analysis, out of 34,330 registered cases of violence against women, or 87%, were committed in the family. Therefore, protection orders have been issued for 26,667 spouses, 1,559 mothers-in-law, 1,128 daughters-in-law and 9,989 others. It was possible to reconcile 20,769 families, resolve 15,142 conflicts. However, in 921 cases the family broke up, in 2222 cases the conflict was not resolved (Repost.uz, 2022).

Perpetrators of domestic violence in Uzbekistan are seldom prosecuted, and the authorities have failed to effectively investigate and prosecute these crimes. Women are not adequately protected, and the majority of offenders remain unpunished, according to local women's rights activists.

Role of state and legislation in tackling domestic violence in Uzbekistan

According to the Constitution of Uzbekistan, which is adopted in 1992, all citizens irrespective of their gender are guaranteed equality. The Family Code from 1998 guarantees the protection of the rights

and interests of the family and sets out principles of the equality of responsibilities in marriage and family. Since Uzbekistan gained its independence in 1991, the government has taken steps to address domestic violence in the country (Lex.uz).

In 2013, the government adopted a new criminal code that included provisions on domestic violence. This was an important step forward, as it recognized domestic violence as a separate offense and increased the penalties for perpetrators. However, the law was not widely enforced, and many victims continued to face barriers to accessing justice (Amnesty International, 2020).

Domestic violence used to go unnoticed and unpunished. It was neither considered a criminal offense nor an administrative violation, making it difficult for women to report such incidents.

The emergence of the COVID-19 pandemic, there has been a distressing escalation in violence against women and girls, particularly within domestic settings, although not exclusively. UN Women has labeled this phenomenon a "shadow pandemic" due to its alarming nature. Uzbekistan established new online and remote services to assist victims of gender-based violence during this period (UN Women, 2021). However, the long-term consequences of victims being isolated from assistance and social support networks, challenges in reporting violence, and the resulting impunity require evaluation to develop effective strategies for preventing. Notably, Uzbekistan implemented crucial legal changes prior to the COVID-19 pandemic. In September 2019, a law protecting women from violence was enacted, which introduced a new mechanism for protection orders and included measures aimed at addressing perpetrators of violence. While administrative records and police response improved since 2019, the implementation of the law was still in its early stages when the pandemic struck. Therefore, it is expected that the reliance on the law would have been limited until the population became more familiar with the new legal mechanisms. Consequently, the pre-pandemic baseline data may be less robust compared to other indicators (UN Women, 2021).

Its effectiveness was limited due to the lack of updates in the criminal and administrative codes. During that time, domestic violence remained unrecognized as a crime.

Authorities issued protection orders to women and children, valid for 30 days and extendable for another 30 days. Violating these orders could result in a 15-day jail term. Unfortunately, when victims showed these orders to their abusive partners, they often faced even more violence.

Yet recently the country has taken significant steps in legislation against domestic violence. The Parliament passed a long-awaited law criminalizing domestic violence, making Uzbekistan the fifth country in Eastern Europe and Central Asia to specifically criminalize such violence. The new law introduces criminal liability for domestic violence and provides additional protection mechanisms for women and children. It also establishes responsibility for harassment and stalking of women and eliminates parole and mitigating circumstances for perpetrators of sexual violence (Amnesty International, 2023; Gazeta.uz, 2023). The law recognizes domestic violence as a separate criminal offense and outlines specific penalties for different forms of violence, including physical, psychological, economic, and sexual abuse. Moreover, the law mandates the establishment of specialized units within the police force to handle cases of domestic violence. These units will be responsible for conducting investigations, providing support to survivors, and ensuring the enforcement of protective orders (Amnesty International, 2023). In addition to criminalizing domestic violence, the new law emphasizes prevention, protection, and support for survivors. It requires the development of comprehensive programs for the prevention of domestic violence, the creation of shelters and crisis centers for survivors, and the provision of legal, medical, and psychological assistance. It also promotes public awareness campaigns and education to change societal attitudes towards domestic violence (Amnesty International, 2023).

However, despite this significant progress, challenges remain in the implementation and enforcement of the law. It is crucial to ensure that law enforcement

agencies receive adequate training and resources to effectively handle domestic violence cases. Additionally, there is a need for continued awareness-raising efforts to change societal norms and attitudes that perpetuate violence against women.

The main issue and causes of domestic violence in Uzbekistan.

Traditional gender roles and patriarchal values are deeply ingrained in Uzbek society, and these cultural norms contribute to the perpetration of domestic violence. Women are often viewed as inferior to men and are expected to be subservient and obedient to their male partners. This can lead to a belief that men have the right to control their female partners and use violence to maintain that control. As Mukhamedova (2019) notes, "domestic violence is often seen as a normal part of marriage or a necessary disciplinary measure to maintain order and control within the family."

If we look at the earliest surveys and interviews done by INGO Human Rights, we can see the nature of the marriage culture and its perception of domestic violence in Uzbekistan. The interviews with various individuals, including local government officials, law enforcement personnel, medical staff, and NGO activists, shows consistent attitudes towards domestic violence in Uzbek society. These attitudes predominantly placed the blame and responsibility on women themselves for the abuse they endure. Rather than addressing the root causes of domestic violence, government officials often justified such abuse or denied its existence altogether. Some officials even went as far as suggesting that women deserve to be physically assaulted in certain situations. These prevailing attitudes significantly limit the range of solutions that both state and non-state actors are willing to implement. The statements made by a deputy district mayor and a representative of the local women's committee exemplify the prevalent views. According to the representative, women are considered at fault if their husband's resort to violence. It is believed that women should approach their husbands to pacify them and should maintain a lower position in the hierarchy. Failure to do so may result in the husband

resorting to physical abuse. The representative further explains that men in Uzbekistan have volatile temperaments and dislike being challenged by women. As a result, girls are taught to take care of their husbands, prioritize timely meal preparation, and avoid crossing their husbands' boundaries. If a woman is subjected to physical abuse, it is expected that she will reconcile with her husband by the following morning. A good wife is expected to ask for forgiveness and refrain from complaining, as the blame for the beating falls solely on her. The representative asserts that men never resort to violence without reason, reinforcing the belief that it is solely a woman's fault (Human Watch, 2000).

Economic stress is another factor that contributes to domestic violence. Poverty, unemployment, or financial strain can create a sense of insecurity and powerlessness in men, who may then use violence as a way to exert control and feel more powerful. Economic stress may also contribute to a lack of resources for victims of domestic violence, making it difficult for them to leave abusive relationships or seek help.

Alcohol and drug use have also been linked to domestic violence in Uzbekistan. Men who drink or use drugs may become more violent or aggressive towards their partners. Substance abuse can also exacerbate other factors that contribute to domestic violence, such as economic stress or cultural norms that condone violence against women.

A lack of awareness and education about domestic violence is another contributing factor to the problem in Uzbekistan. Many people in Uzbekistan lack awareness of what domestic violence is, what causes it, and how to prevent it. This can lead to a culture of acceptance or tolerance towards domestic violence and a reluctance to report incidents or seek help.

Weak legal and institutional frameworks for addressing domestic violence make it difficult for victims to seek help or hold their abusers accountable. The legal system is often biased towards men, and there are few resources dedicated to prevention, protection, and support for victims. This can contribute to a culture of impunity for domestic violence perpetrators and make it difficult for victims to leave abusive relationships or seek justice.

Violence in Uzbekistan remains persistent, with women and children being treated as possessions and domestic violence being regarded as a mere "family matter." Cultural traditions dictate that wives should endure hardships with patience, while children are expected to never challenge their parents or express their opinions. The lack of control over life decisions during childhood leads to a tyrannical behavior towards those who are even more vulnerable. Men, who grew up without autonomy and faced unemployment, particularly in rural areas, find power and control when they marry. Similarly, women, who have experienced strict control from their parents and then their husbands, may become controlling and demanding when their sons get married. Having control over household matters and exerting power over their daughters-in-law becomes the only way for them to feel a sense of self-worth and importance (Saida, 2022).

The youth lack independence as major life decisions, including education, marriage, living arrangements, and moving out of their parents' house, are primarily made by the older generation, sometimes through manipulation and force. While forced marriage is not widespread, arranged marriages significantly limit the choices of young individuals. Parents select suitable families based on their socioeconomic status and arrange a few dates for the prospective couple. In most cases, the young individuals have to decide whether to marry the person chosen by their parents after only a couple of meetings. It is important to note that in 2021, over 93,000 girls under the age of 20 were married, with a total of 305,000 registered marriages (Saida, 2022).

Financial dependence exacerbates power dynamics and control. Parents typically cover university fees, wedding expenses, and living costs. Even after marriage, most men continue to live with their parents. When men work abroad, they send money to their parents instead of their wives, who then receive an allocation from the remittance. In instances of domestic violence, law enforcement representatives not only discuss the issue with the husband and wife but also involve their parents. This demonstrates the power dynamics at play, where parents exert control over their children regardless of their age, and

husbands abuse their wives while mothers-in-law mistreat their daughters-in-law (Saida, 2022).

It is worth noting that these factors are not mutually exclusive and may interact with each other to create a complex web of causes and consequences of domestic violence in Uzbekistan. For example, economic stress may exacerbate traditional gender roles and patriarchal values, leading to an increased risk of domestic violence. There is a cycle of perpetual violence against women, where domestic violence is considered a private matter and cultural norms perpetuate power imbalances. The subjugation of women and children as possessions, coupled with limited autonomy in decision-making and financial dependence, creates an environment conducive to abuse. The involvement of parents in major life decisions further restricts the choices and agency of young individuals. Media representations also contribute to the normalization of violence and reinforce traditional gender roles. Breaking this cycle requires comprehensive efforts to challenge societal attitudes, promote gender equality, empower women, and ensure legal protection and support services for survivors of domestic violence.

Policy to reduce the divorce rate.

On top of that some policies and measures are not really helping victims of domestic violence, for instance the state measures to reduce the number of divorces.

Uzbekistan has policies to decrease the number of divorces, such as offering courses for newlyweds and attempting to reconcile couples experiencing family conflicts through Mahalla Conciliation Commissions.

However, some people are concerned that these policies are harmful to women who experience domestic abuse. Women's rights defenders report that the process of obtaining a divorce can be long and humiliating, with Mahalla Conciliation Commissions advising victims of domestic violence to endure for the sake of their children or parents. In divorce cases, courts require a certificate from the Mahalla Divorce Commission, which decides if the family can be saved before a judge can rule on the divorce. This requirement has no legal basis, but an internal order reportedly prohibits judges from proceeding with divorce rulings

without the conclusion of the conciliation commission of the mahalla.

NGOs report that over 80% of cases they dealt with left women unable to obtain a divorce, and the process can take years and multiple appeals. In cases where one person refuses to divorce, courts may refuse permission to dissolve the marriage. When both parties agree to a divorce, the court typically sets a six-month reconciliation period. Activists claim that many women struggle to obtain a divorce certificate from the Mahalla Conciliation Commission (International Partnership for Human rights, 2022).

The role of NGOs in tackling domestic violence and their contribution to policy change in Uzbekistan.

Women's civil society organizations (CSOs) and grassroots NGOs in Uzbekistan have played a significant role in addressing family issues, protecting mothers and children, and combating domestic violence. Currently, various civil society organizations in Uzbekistan focus on women's economic empowerment, gender equality, and the advancement of women's rights.

For example, The National Center for Socioeconomic Development Sabr supports women and children in crisis situations, promotes entrepreneurship, and provides assistance to victims of domestic violence. The NGO Mehrjon offers social and legal support to women and children facing discrimination and implements programs on legal literacy, health, and the prevention of gender-based violence. These organizations contribute to advancing women's rights and addressing gender-related issues in Uzbekistan (CIVIL SOCIETY BRIEF: UZBEKISTAN, 2021).

Moreover, the Businesswomen's Association Tadbirkor Ayol is a network of 12 organizations that supports female entrepreneurship and leadership in business. The Center for Legal and Civic Initiatives conducts legal analysis on gender equality and women's political rights, while the Civic Initiatives Support Center works on gender equality, women's reproductive health, and the implementation of international conventions.

Besides, there are also a government-organized non-governmental organization

(GONGO)s as Women's Committee of Uzbekistan (WCUz), operated from 1991 to 2020 and influenced gender policies in the country. It was instrumental in advocating for the adoption of important laws in 2019 on equal rights and opportunities for women and the protection of women from harassment and violence. These laws laid the foundation for the establishment of state-supported shelters across the country, totaling 191, to assist survivors of gender-based violence. In 2020, the WCUz became part of the Ministry of Mahalla and Family Affairs, with a deputy minister leading its work on women's issues ("CIVIL SOCIETY BRIEF: UZBEKISTAN," 2021).

However, there are still some shortcomings. As for instance, during the lockdown, only five crisis shelters were able to operate, and others were under restrictive measures in 2020-2021.

In 2021, the overall number of assistance centers and shelters for domestic violence survivors was reduced from 197 to 29 (Amnesty International, 2022).

This reduced number of shelters is not enough to meet the needs of domestic violence survivors nationwide, especially as the shelters struggle with lack of funding and resources. One of the main challenges is limited funding, as the government and international donors do not prioritize this issue (Freedom House, 2021). Additionally, NGOs often face bureaucratic obstacles when trying to register or receive funding from the government, which hinders their operations. Moreover, some NGOs report facing harassment and intimidation from authorities for their advocacy work (Human Rights Watch, 2021).

Another significant challenge is the social stigma surrounding domestic violence, which prevents many survivors from seeking help or reporting abuse. NGOs work to address this issue by conducting awareness-raising campaigns and providing support to survivors. However, cultural norms and patriarchal attitudes often prevent women from leaving abusive relationships or seeking help.

NGOs also face challenges related to the lack of a coordinated response to domestic violence. Although there are various organizations working on the issue, there is a lack of collaboration and coordination among them, leading to

duplication of efforts and inefficient use of resources. Additionally, there is a lack of data and research on domestic violence, making it difficult for NGOs to understand the scope of the problem and develop effective interventions.

Discussion

Domestic violence in both countries

It is a significant problem in both Kazakhstan and Uzbekistan, with women and children being the primary victims. Both countries have taken steps to address the issue through legislation and policies, but significant challenges remain.

In Kazakhstan, over two million women were affected by domestic violence in 2019, while specific statistics for Uzbekistan are not available. However, the Ministry of Internal Affairs in Uzbekistan reported issuing over 8,430 protection orders between January and October 2020. It is worth noting that domestic violence remains underreported in both countries, indicating the hidden nature of the problem. The level of recognition and response to the problem varies.

The COVID-19 pandemic has exacerbated the issue of domestic violence in both countries. During lockdowns, the number of reported cases increased significantly, as victims faced difficulties seeking assistance due to restricted movement and constant monitoring by perpetrators. The frequency of police appeals decreased, highlighting the challenges victims faced in reaching out for help. Both countries observed a rise in domestic violence cases during the pandemic, emphasizing the urgent need for comprehensive responses and support systems.

Victims of domestic violence in both countries face significant barriers when seeking help. Both in Kazakhstan and Uzbekistan, there is a lack of adequate support services, such as shelters and hotlines, particularly in remote regions. Victims also face hostility and discrimination from police and healthcare workers when attempting to access services.

Kazakhstan has shown a growing commitment to addressing domestic violence. President K.K. Tokayev emphasized the significance of resolving the

issue and instructed the improvement of preventive measures and the enforcement of punishments for offenders. However, the implementation of these measures remains a challenge, with the legal and justice systems often being unresponsive and ineffective.

In Uzbekistan, domestic violence has historically been a neglected matter. However, recent reports suggest an increased focus on addressing the issue. The Ministry of Internal Affairs has taken steps to issue protection orders, indicating a recognition of the problem. Nevertheless, both countries face challenges in effectively prosecuting perpetrators, as lenient sentences are often given, perpetuating a culture of violence and hindering victims' pursuit of justice.

Both Kazakhstan and Uzbekistan face challenges in addressing domestic violence effectively. Both countries have reported high numbers of domestic violence cases, barriers to reporting, inadequate support services, and issues with prosecution and perpetrator accountability. The COVID-19 pandemic has further exacerbated the problem in both countries, making it harder for victims to seek help. The comparison highlights the need for improved prevention, support, and legal measures to address domestic violence in both Kazakhstan and Uzbekistan.

Legislation

The legislation on domestic violence in Kazakhstan and Uzbekistan has evolved over time, with both countries taking steps to address this issue. However, there are still challenges in effectively preventing and addressing domestic violence in both countries.

In Kazakhstan, the legal framework for domestic violence has undergone several amendments. The Law on the Prevention of Domestic Violence, adopted in 2009, aimed to improve the legal framework for preventing and addressing domestic violence. It introduced measures such as protective orders and specific requirements for offenders. However, there were criticisms that the law did not provide adequate protection for victims and that there were no criminal penalties for perpetrators of domestic violence.

Amendments to the legislation in Kazakhstan have been made to address these shortcomings. For example, there have been changes in the classification of offenses related to domestic violence, ranging from criminal to administrative offenses and back to administrative offenses. These changes have resulted in inconsistent treatment of domestic violence and have raised concerns about the adequacy of penalties for offenders.

Despite these changes, domestic violence in Kazakhstan is still often regarded as a "family matter," leading to underreporting of incidents. Victims face obstacles in seeking help from the police or the courts and often receive little or no assistance. The lack of specific training for police and crisis center workers further hinders effective support for victims.

Recent positive changes in Kazakhstan's legislation include amendments that strengthen the responsibility for domestic violence and improve the legal response to such cases. These amendments, which will come into effect in 2023, shift the registration of cases from declarative to revealing, allowing the police to initiate administrative offense cases without the victim's complaint. The amendments also exclude the possibility of reconciliation between the parties involved, preventing psychological pressure on the victims.

In Uzbekistan, the government has also taken steps to address domestic violence. In 2013, a new criminal code was adopted, recognizing domestic violence as a separate offense and increasing penalties for perpetrators. However, enforcement of the law was limited, and many victims faced barriers in accessing justice.

More recently, Uzbekistan passed a law criminalizing domestic violence, making it the fifth country in Eastern Europe and Central Asia to do so. This law introduces criminal liability for domestic violence and provides additional protection mechanisms for women and children. It also establishes specialized police units to handle domestic violence cases and emphasizes prevention, protection, and support for survivors.

Despite these significant developments, challenges remain in the implementation and enforcement of the law in Uzbekistan. Adequate training and

resources for law enforcement agencies are needed to effectively handle domestic violence cases. Public awareness campaigns and education are necessary to change societal norms and attitudes that perpetuate violence against women.

Causes of Domestic Violence

The main causes of domestic violence in Kazakhstan and Uzbekistan can be attributed to a combination of social, cultural, economic, and legal factors. While there may be some similarities in the causes, it is important to consider the unique context of each country.

In Kazakhstan, some of the main causes of domestic violence include socio-economic factors namely low standard of living, lack of income, and unemployment contribute to financial stress and tension within households. Economic hardships can increase the likelihood of conflict and violence within relationships. Next is Substance abuse: Heavy consumption of alcohol and drug addiction is closely associated with domestic violence in Kazakhstan. Perpetrators under the influence of alcohol or drugs may exhibit aggressive and violent behavior towards their partners or family members.

Like many societies, has deeply ingrained traditional gender roles and beliefs about the superiority of men and the subservience of women. These cultural norms can perpetuate power imbalances and contribute to the acceptance and normalization of domestic violence. Despite having laws in place to protect victims of domestic violence, there may be challenges in the effective enforcement of these laws.

Additionally, there is a lack of resources and support services for victims, such as shelters and counseling, which can discourage victims from seeking help.

Some of the main causes of domestic violence in Uzbekistan is similar to that of in Kazakhstan, like traditional gender roles and beliefs about the superiority of men and subservience of women are deeply ingrained in Uzbek society. Women are often viewed as possessions and expected to be obedient and submissive to their husbands. This power imbalance can lead to control and abuse within relationships.

Moreover, young individuals in Uzbekistan often have limited independence and decision-making power, particularly in major life decisions such as education, marriage, and living arrangements. Parents and older generations exert control over the choices of their children, leading to potential conflict and abusive dynamics within marriages.

This factor also affects financial dependence, which exacerbates power imbalances within relationships. Men often continue to live with their parents even after marriage, and financial resources may be controlled by the husband's family. This lack of economic autonomy can contribute to control and abuse within the household.

Similar to Kazakhstan, in Uzbekistan there is also ineffective legal processes, however there is significant difference in Uzbekistan in legal process for obtaining a divorce in Uzbekistan can be lengthy and humiliating, particularly for women who experience domestic abuse. The requirement of obtaining a certificate from the Mahalla Conciliation Commission before a divorce ruling can be made can further prolong the process and discourage victims from seeking divorce.

There is also the normalization of violence, in other words cultural norms and media representations in Uzbekistan can contribute to the normalization of violence and reinforce traditional gender roles. This can perpetuate a cycle of violence and make it more difficult for victims to seek help or escape abusive situations.

Addressing the causes of domestic violence in both countries requires a comprehensive approach that includes promoting gender equality, strengthening legal protections, improving access to support services for victims, raising awareness about the impact of domestic violence, and challenging cultural norms that perpetuate violence.

Roles of NGOs in combating domestic violence

In Kazakhstan, NGOs have made significant contributions to tackling domestic violence and advocating for policy change. These organizations provide various services, including social, medical, psychological, legal, and economic assistance to victims of domestic violence.

They operate crisis centers that offer support and shelter to those in need. NGOs such as the Association of Crisis Centers for Women and Children and the Kazakhstan Women's Information Network have been actively involved in advocating for policy changes related to domestic violence and working with government officials to develop new legislation.

These NGOs have been successful in raising awareness about domestic violence, promoting gender equality, and pushing for the implementation of laws that protect victims. They collaborate with international organizations such as UN Women, UNICEF, UNFPA, and OSCE missions to support research, provide legal expertise, and allocate grants for prevention and response to domestic violence. NGOs also conduct training programs for law enforcement, government officials, and civil activists to enhance their understanding of modern strategies for preventing and addressing domestic violence.

However, NGOs in Kazakhstan face challenges in their efforts to tackle domestic violence. Limited resources and funding pose a significant obstacle to their ability to provide comprehensive support to victims. They rely on donations and grants, which can be unpredictable and insufficient to meet the growing demand for their services. Cultural and social barriers also exist, as domestic violence is often viewed as a private family matter, and traditional views on family and gender roles persist.

Similarly, in Uzbekistan, women's civil society organizations and grassroots NGOs have played a significant role in addressing domestic violence and advocating for women's rights. These organizations focus on various aspects such as economic empowerment, gender equality, legal support, and health programs. The National Center for Socioeconomic Development Sabr, Mehrjon, and the Businesswomen's Association Tadbirkor Ayol are examples of NGOs in Uzbekistan working to combat domestic violence and empower women.

Moreover, the Women's Committee of Uzbekistan (WCUz), previously a GONGO, played a role in advocating for important laws on equal rights, opportunities for women, and the protection of women from harassment and violence. However, challenges remain, including limited funding, bureaucratic

obstacles, and social stigma surrounding domestic violence. NGOs face difficulties in securing adequate resources and funding to provide comprehensive support and services. The lack of coordination among organizations working on domestic violence also hinders their effectiveness.

To address these challenges, NGOs in both countries continue to raise awareness, collaborate with government institutions, and work with international organizations to strengthen their efforts. They play a crucial role in providing support to victims, advocating for policy changes, and promoting a societal shift toward addressing and preventing domestic violence.

Conclusion

Domestic violence remains a pressing issue in both Kazakhstan and Uzbekistan, but efforts have been made to address and combat this problem. Recent legislative changes in both countries reflect a growing recognition of the seriousness of domestic violence and the need for comprehensive legal frameworks to protect victims.

In Kazakhstan, despite positive progress in legislation, challenges persist in the implementation and enforcement of domestic violence laws. Limited resources, cultural barriers, and the perception of domestic violence as a private matter hinder victims from seeking help and receiving adequate support. NGOs, such as the Association of Crisis Centers for Women and Children and the Kazakhstan Women's Information Network, play a crucial role in providing assistance and advocating for policy changes.

Similarly, in Uzbekistan, the government has taken steps to address domestic violence through legal reforms criminalizing domestic violence and establishing specialized police units. However, limitations in the reporting and prosecution of cases, patriarchal attitudes, and stereotypes continue to pose challenges in effectively combating domestic violence. The role of NGOs, including grassroots organizations and women's civil society groups, remains crucial in providing support services and advocating for women's rights.

Statistics indicate that domestic violence remains a significant concern in both countries. The impact of the COVID-19

pandemic has further exacerbated the problem, with increased incidents of violence reported during lockdowns. Victims continue to face obstacles in seeking help and accessing support services.

While progress has been made in legislation, it is essential to address the limitations in the implementation of these laws. This includes improving the response of law enforcement agencies, increasing public awareness to change societal attitudes, providing comprehensive support services for victims, and ensuring adequate

resources and funding for NGOs working in this field.

Ultimately, addressing domestic violence requires a multifaceted approach that combines legal reforms, education, societal change, and support services. Continued collaboration between government institutions, NGOs, and international organizations is crucial to creating a safer environment and protecting the rights of victims of domestic violence in both Kazakhstan and Uzbekistan.

REFERENCES

1. Acierno R., Hernandez-Tejada, M. A., Muzzy, W., Steve, K., & Hernandez, M. A. (2010). Elder mistreatment in the United States: Prevalence estimates from a nationally representative study. *The Journals of Gerontology Series A: Biological Sciences and Medical Sciences*, 65(3), 687–694.
2. Akhmedova, F., & Adilova, Z. (2018). Domestic violence in Uzbekistan: Issues and challenges. In A. Z. Vakilova (Ed.), *Researching Violence against Women: A Practical Guidebook* (pp. 31-45). Tashkent, Uzbekistan: UNFPA.
<https://uzbekistan.unfpa.org/sites/default/files/pubpdf/Researching%20Violence%20against%20Women%20-%20A%20Practical%20Guidebook.pdf>
3. Almaty Crisis Center for Women. (n.d.). About Us. <https://www.almaty-crisis-center.kz/about-us/>, Accessed 27 February 2023.
4. Almukhanbetkyzy A. & Eaton K. (2020). "Under COVID-19, Domestic Violence Intensifies in Kazakhstan", *The Diplomat*, July 24, 2020.
5. Arystanbek A. (2022). "Falling Off the Pedestal: Victim-blaming and Nationalism in Kazakhstan", *Voices of Central Asia*, August 2, 2022.
6. Association of Crisis Centers for Women and Children. (n.d.). About Us. <https://www.telefon150.kz/crisiscenters>, Accessed 27 February 2023.
7. Azhigulova Kh. (2021). "Alt-Right groups in Kazakhstan: How they succeeded in canceling a Bill against domestic violence", *The foreign policy center*, July 22, 2021.
8. Baker McKenzie (2021). *Fighting Domestic Violence: Uzbekistan*. Pro Bono Initiative Asia. In association with Global Rights for Women. Retrieved from <https://resourcehub.bakermckenzie.com/en/resources/fighting-domestic-violence/asia/uzbekistan>
9. CDC (2019). *National Intimate Partner and Sexual Violence Survey (NISVS)*. Centers for Disease Control and Prevention. <https://www.cdc.gov/violenceprevention/nisvs/index.html>
10. Central Asia Monitor (2001). *Mapping of Women's NGOs in Kazakhstan*. https://www.womenngo.org.kz/index.php?option=com_content&view=article&id=11&Itemid=169&lang=en Accessed 27 February 2023.
11. CIVIL SOCIETY BRIEF: UZBEKISTAN (2021). *Country Context, Civil Society Overview*. Asian Development Bank. Retrieved from <https://www.adb.org/sites/default/files/publication/753866/civil-society-brief-uzbekistan.pdf>
12. Council of Europe (2011). *Convention on preventing and combating violence against women and domestic violence*. <https://rm.coe.int/168008482e>, Accessed 27 February 2023
13. Council of Europe (2011). *Convention on preventing and combating violence against women and domestic violence*. <https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/210>
14. Council of Europe (2011). *Council of Europe Convention on preventing and combating violence against women and domestic violence*. Retrieved from <https://www.coe.int/en/web/gender-matters/council-of-europe-convention-on-preventing-and-combating-violence-against-women-and-domestic-violence>
15. *Criminal Code of the Republic of Kazakhstan dated July 3, 2014 No. 226-V ZRK*, <https://adilet.zan.kz/rus/docs/K1400000226>
16. EurasiaNet (2021). "Uzbekistan: Survey reveals troubling levels of tolerance for domestic violence", May 19, 2021.
17. Finkelhor D., Turner, H. A., Ormrod, R., Hamby, S. L. (2009). Violence, abuse, and crime exposure in a national sample of children and youth. *Pediatrics*, 124(5), 1411-1423.

18. Forbes Kazakhstan. (2022, October 21). Как решается проблема домашнего насилия в Казахстане. Retrieved from https://forbes.kz/news/2022/10/21/newsid_287076
19. Freedom House (2021). Uzbekistan. <https://freedomhouse.org/country/uzbekistan/freedom-world/2021> , Accessed 21 February 2023
20. Heise L., Greene, M. E., Opper, N., Stavropoulou, M., Harper, C., Nascimento, M., & Zewdie, D. (2019). Gender inequality and restrictive gender norms: framing the challenges to health. *The Lancet*, 393(10189), 2440–2454.
21. Human Rights Watch (2019). “Kazakhstan: Little Help for Domestic Violence Survivors Ensure Protection, Access to Justice”, October 17, 2019.
22. Human Rights Watch, (2001) “UZBEKISTAN SACRIFICING WOMEN TO SAVE THE FAMILY? Domestic Violence in Uzbekistan”.
23. Human Rights Watch. (2019). Kazakhstan: Domestic Violence Remains Serious Problem. <https://www.hrw.org/news/2019/10/17/kazakhstan-little-help-domestic-violence-survivors> , Accessed 27 January 2023.
24. Human Rights Watch. (2023, March 7). Kazakhstan: Revise Draft Laws to Better Protect Women Address Protection Gaps; Criminalize Domestic Violence. Retrieved from <https://www.hrw.org/news/2023/03/07/kazakhstan-revise-draft-laws-better-protect-women>
25. International Legal Initiative. (2020). Impact Report 2020. <https://ili.kz/wp-content/uploads/2021/04/ILI-2020-Impact-Report.pdf>, Accessed 27 February 2023.
26. International Partnership for Human Rights. (2022, February 14). Uzbekistan: Failure to protect women from domestic violence (CEDAW submission). <https://www.iphronline.org/uzbekistan-failure-to-protect-women-from-domestic-violence-cedaw-submission.html>, Accessed 27 February 2023.
27. Kabylova, M. (2021, April 16). Examining the Causes of Femicide in Kazakhstan (CAP Paper No. 256). Central Asia Program.
28. Kazakhstan Institute of Public Development "Ruhani Zangyru" (2021). National Report on countering domestic violence in the Republic of Kazakhstan (A. E. Esenbaev, A. S. Kaidarova, A. S. Rakysheva, A. K. Nikolaeva, D. M. Aikenova, S. P. Tursynbekova, A. S. Zoldybalina, H. K. Azhigulova, M. Kh. Khasenov, A. N. Rodionov, L. T. Kultemirova, G. M. Moldakulova, A. M. Ashimova, A. I. Dosmukhambetova, & B. K. Ermekbaeva, Eds.). Nur-Sultan.
29. Law of the Republic of Kazakhstan dated January 18, 2011 No. 393-IV «On Amendments and additions to some Legislative Acts of the Republic of Kazakhstan on further humanization of criminal legislation and strengthening of guarantees of legality in criminal proceedings» // <https://adilet.zan.kz/rus/docs/Z1100000393#z52>
30. Law of the Republic of Kazakhstan dated July 3, 2017 No. 84-V I «On Amendments and Additions to some Legislative Acts of the Republic of Kazakhstan on improving the law enforcement system» <https://adilet.zan.kz/rus/docs/Z1700000084#z202>
31. Law of the Republic of Kazakhstan of 4 December 2009 No. 214-IV "On Prevention of Domestic Violence.
32. Mantovanelli M. (2020). “Beyond the campaign: Amplifying our efforts to end gender-based violence in Uzbekistan”, World Bank, December 18, 2020.
33. Mediazona Central Asia (2023, May 15). Казахстанской полиции предоставят право заводить дела о бытовом насилии без заявления от потерпевших [Kazakhstani police will be granted the right to initiate cases of domestic violence without a statement from the victims]. Retrieved from <https://mediazona.ca/news/2023/05/15/abuse>
34. Mukhametgali, F. (2023, April 26). How the Punishment for Domestic Violence in Kazakhstan Will Change from May 19. Polisia.kz. Retrieved from <https://polisia.kz/ru/kak-izmenitsya-nakazanie-za-bytovoe-nasilie-v-kazahstane-s-19-maya/>
35. Organization for Security and Cooperation in Europe (2018). Survey on the prevalence of violence against women in Kazakhstan. https://kazakhstan.unfpa.org/sites/default/files/pub-pdf/Kazakhstan%20VAW%20report_final%2031-10-2017.pdf , Accessed 23 February 2023.
36. Repost.uz. (2022, April 27). Uzbekistan: Nearly 90% of cases of violence against women occur within the family. News of Uzbekistan - Repost.uz. Retrieved from <https://repost.uz/eto-voobshe-ne-kruto>, Accessed 27 February 2023. Link to the press conference: <https://www.facebook.com/aoka.uz/videos/729166528113609/>
37. Saida, N. (2022, June 22). A Cycle of Perpetual Violence for the Women of Uzbekistan. The Diplomat. Retrieved from <https://thediplomat.com/2022/06/a-cycle-of-perpetual-violence-for-the-women-of-uzbekistan/>
38. Shadinova G. & Ontuganova D., “Women and the Problem of Domestic Violence in Kazakhstan”, International Kazakh-Turkish University Named H.A.Yasavi, Turkestan, Kazakhstan, 2014
39. Sultan A., (2020) “What’s Wrong with Women’s Crisis Centres in Kazakhstan?” CabarAsia, 2020, Almaty

40. Tastanbekova, G. (2020). Gender-Based Violence in Kazakhstan: Policies, Practices and Challenges. *Journal of Social Policy Studies*, 18(4), 677-695. <https://doi.org/10.17323/727-0631-2020-18-4-677-695>
41. The Law of the Republic of Kazakhstan dated December 9, 2004 No. 10 «On amendments and additions to the Criminal, Criminal Procedure, Criminal Executive Codes of the Republic of Kazakhstan and the Code of the Republic of Kazakhstan on Administrative Offenses on simplification of procedures for the investigation of criminal cases, decriminalization of certain elements of crimes and improvement of legislation on administrative offenses», https://adilet.zan.kz/rus/docs/Z040000010_#z0
42. UN Women, & United Nations Development Programme (UNDP). (2021). Assessing the Gendered Impacts of COVID-19 in Uzbekistan: What Data are Available. United Nations Entity for Gender Equality and the Empowerment of Women. Retrieved from <https://eca.unwomen.org/en/digital-library/publications/2021/9/assessing-the-gendered-impacts-of-covid-19-in-uzbekistan-what-data-are-available>
43. UN Women (2021). COVID-19 and ending violence against women and girls. <https://www.unwomen.org/en/what-we-do/ending-violence-against-women/facts-and-figures>
44. UNDP Uzbekistan (2020, April 27). Reducing domestic violence caused by the COVID-19 lockdown in Uzbekistan. Uzbekistan. Retrieved from <https://www.undp.org/uzbekistan/press-releases/reducing-domestic-violence-caused-covid-19-lockdown-uzbekistan>, Accessed 27 February 2023.
45. UNDP Uzbekistan. (2020, March 6). Women's rights in a changing society. Retrieved from <https://www.undp.org/uzbekistan/blog/women%E2%80%99s-rights-changing-society>
46. United Nations (1979). Convention on the Elimination of All Forms of Discrimination Against Women. <https://www.un.org/womenwatch/daw/cedaw/text/econvention.htm>
47. United Nations (1993). Declaration on the Elimination of Violence Against Women. <https://www.ohchr.org/en/professionalinterest/pages/violenceagainstwomen.aspx>
48. United Nations Declaration on the elimination of violence against women. New York : UN, 1993.
49. United Nations. Examining Domestic Violence Around the World: The Cost of Doing Nothing, <https://www.un.org/en/academic-impact/examining-domestic-violence-around-world-cost-doing-nothing>
50. World Health Organization (WHO). (2021). Violence against women. <https://www.who.int/news-room/fact-sheets/detail/violence-against-women>.
51. World Health Organization. (2021). Violence against women prevalence estimates, 2018: Global, regional and national prevalence estimates for intimate partner violence against women and global and regional prevalence estimates for non-partner sexual violence against women. Geneva
52. Zhapisheva, A. (2020, June 8). What prevents the domestic violence criminalization in Kazakhstan and why is it necessary? [Article]. *cabar.asia*. School of Analytical Journalism alumni. Central Asian Bureau for Analytical Reporting.

ҚАЗАҚСТАН ЖӘНЕ ӨЗБЕКСТАНДАҒЫ ОТБАСЫ ЗОРЛЫҚТЫ САЛЫСТЫРМАЛЫ ЗЕРТТЕУ: МӘСЕЛЕНІҢ АЛДЫН-АЛУДАҒЫ ҚҰҚЫҚТЫҚ НЕГІЗІ ЖӘНЕ ҮЕҰ РӨЛІ

Айнұра АЙТМУРАТОВА, КИМЭП Университетінің Коммуналдық және мемлекеттік басқару факультетінің докторантура студенті, Алматы, Қазақстан, aynura.aytmuratova@kimep.kz, ORCID ID: <https://orcid.org/0000-0003-1479-8159>

СРАВНИТЕЛЬНЫЙ АНАЛИЗ ДОМАШНЕГО НАСИЛИЯ В КАЗАХСТАНЕ И УЗБЕКИСТАНЕ: ПРАВОВАЯ БАЗА И ВМЕШАТЕЛЬСТВА НПО

Айнұра АЙТМУРАТОВА, Докторант факультета коммунального и государственного управления Университета КИМЭП, Алматы, Казахстан, aynura.aytmuratova@kimep.kz, ORCID ID: <https://orcid.org/0000-0003-1479-8159>