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Organization

# ► Women and the World of Work in Uzbekistan

Towards Gender Equality and  
Decent Work for All





# ▶ **Women and the World of Work in Uzbekistan**

Towards Gender Equality and  
Decent Work for All

December 2020

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The views expressed herein are those of the authors.



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## ► Executive summary

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**Uzbekistan has taken significant steps to improve women's situation in the world of work, yet gender gaps remain significant. Gender-equitable socioeconomic development will require ensuring decent work and a social protection floor for all, and addressing gender biases in laws, policies, institutions, and practices.**

Uzbekistan's ability to achieve the Sustainable Development Goals of the 2030 Global Agenda will largely depend on its ratification and application of international labour standards.

### **Gender gaps in the world of work**

**Most working women are dedicated to unpaid child care and household work, whereas most working men are remunerated.**

In 2018, 67.4 per cent of both women and men of working age were working. More than 90 per cent of persons dedicated to unpaid child care and household work were women, whereas 67 per cent of employed persons were men.

**The inability of the economy to generate sufficient and decent number of jobs affects women more than men.**

The structure of employment has not evolved significantly in the past decade. Compared to men, in 2018 women accounted for nearly half of the working population. Women accounted for less than half of the employment-to-population ratio, and among them unemployment more than doubled. Among the unemployed, 50 per cent of women and 35 per cent of men were unemployed for a year or longer. Youth unemployment rates were almost double the overall rates for both women and men.

**Women are concentrated in lower positions and child care and household work.**

In 2017, only 1.7 per cent of management staff were women. In 2018, women held 27 per cent of decision-making positions, excluding small businesses and micro-firms, with no significant change for more than a decade. Too many women are busy taking care of children and household work. In 2018, the proportion of women working in education, health care, and social services was more than 69 per cent, just under three-quarters of the total employed population.

**Women are underpaid and jobs associated with women are undervalued.**

In 2018, the ratio of women's wages to men's wages was 64.8 per cent (or 35.2 less), when calculated from the total wages. The three sectors of the industry with the largest share of women workers are the three lowest paid sectors of the industry: education, health and social sector.

**Prevailing gender norms assign family responsibilities to women.**

The home appears as the main site for women's work, both paid or unpaid. In 2018 about 57 per cent of women entrepreneurs operated from home, compared with 40 per cent of men entrepreneurs. One in four employed women was in part-time employment, compared to one in five employed men.

**The majority of jobs are in the informal economy.**

In 2018, more than a quarter of jobs (26.6 per cent) were in agriculture, mainly in the informal economy. In the private sector, 61 per cent of women employees and 73 per cent for men employees lacked social security coverage. 50 per cent of employed men and 35 per cent of employed women work at companies with no more than 5 workers. In private enterprises with no more than 5 workers, 80 per cent of women employees and 87 of men employees lacked social security coverage.

**The public sector is the major source of formal jobs for women.**

The public sector provided social security coverage to 98 per cent of its employees in 2018. It employed 69 per cent of women employees and 48 per cent of men employees in the country.

**Migration is increasingly important for women and men.**

The country has witnessed net emigration every year since 2008, i.e. migration loss. There were about 2.6 million international labour migrants from Uzbekistan by the first half of 2019. In 2019, 42 per cent of Uzbekistani nationals who left the country for residence abroad were women. 46 per cent of foreigners arriving for residence in Uzbekistan were women.

## Gender biases in laws, policies, and institutions

**The national Statistical system is deficient on gender equality and decent work issues.**

Statistics are rarely sex-disaggregated, with the notable exception of the minimum gender indicators. The national statistical system has multiple gaps, including the non-systematic adherence to ILO statistical standards. Producers of statistics have voiced the need for capacity development on decent work indicators and gender-responsive statistics.

**Gender equality has been addressed largely as a social issue at the micro level.**

Public policy largely addresses women's issues as part of the social sphere, without considering them in the economic sphere. Policies that are assumed to be distribution-neutral often exacerbate gender and other inequalities. There is a need to address gender biases in macroeconomic policy, and government officials have welcomed capacity development on the subject.

**Gender BIAS can lead to negative unintended effects.**

Some gender bias can undermine the principle of equality of opportunity and treatment in the field of labour and employment. Public policy has given main importance to the institution of the family. The prevailing assumption is that unpaid children care and household work is solely the responsibility of women, even if they have a full-time job, which creates a double burden for them.

**Existing legislation fails to uphold equality of opportunity and treatment.**

Existing legislation, falls short of guaranteeing equal pay for work of equal value in practice. It also does not effectively protect women against discrimination. The Labour Code assumes that family responsibilities fall primarily on women. Several shortcomings in legislation and policy need to be addressed to effectively protect all persons from violence and harassment. It is necessary that the new laws, including the Labour Code, are free of gender bias. Adoption of Law of the Republic of Uzbekistan

No. 562 of September 2, 2019 "On Guarantees of Equal Rights and Opportunities for Women and Men" dd. 2 September 2019 is a major step in that direction.

**Risks are being shifted to women, including for job creation and social protection.**

Self-employment is more prevalent among the poor and among the rural population. While individual entrepreneurship, especially for women is strongly supported, inadequate attention has been given to the risk burden and limited transformative potential of such activities. Responsibility for social protection has increasingly shifted from the state to the employer, family, and individual, which increases the load for women. Women represent 19 per cent of the employed aged 55 to 64, i.e., exceeding the retirement age of women.

**The current system of maternity protection discourages employers from employing women of reproductive age.**

The current system of maternity protection and parental leave disincentivizes employers from employing women of reproductive age. It also gives incentives for women to remain on maternity and childcare leave for up to three years, an overly long period during which deskilling may occur, especially for representatives of specialized occupations.

**Migration and recruitment frameworks leave workers vulnerable.**

Jobseekers increasingly rely on private employment agencies, including for securing a job abroad. Legislation on private employment agencies leaves workers vulnerable and fails to effectively regulate the agencies. Recent amendments in the legislation, notably the prohibition of private employment agencies from charging workers seeking a job abroad for employment services, are important steps in the right direction.

## Towards gender equality and decent work for all

**Placing decent work and gender equality at the heart of public policy**

- Place full, productive, and freely chosen employment, decent work for all, and gender equality at the heart of macroeconomic policy, in line with the ILO Centenary Declaration for the Future of Work and the SDGs
- Design and implement public policies for gender-equitable socioeconomic development through inclusive social dialogue that integrates women's voices and concerns

**Facilitating the transition from the informal to the formal economy**

- Design and implement a coherent and integrated strategy to facilitate the transition to the formal economy through tripartite social dialogue that is inclusive of women and men engaged in the informal economy
- Ensure that all categories of workers enjoy effective legal and social protection, including women agricultural workers, rural workers, street vendors, domestic workers, migrant workers, and workers with disability

**Adopting a national equality policy**

- Design and implement a national equality policy in application of the ratified ILO Conventions, in particular Equal Remuneration Convention, 1951 (No. 100), and Discrimination (Employment and Occupation) Convention, 1958 (No. 111), ratifying and applying Workers with Family Responsibilities Convention, 1981 (No. 156), Part-Time Work Convention, 1994 (No. 175), Home Work Convention, 1996

(No. 177), Domestic Workers Convention, 2011 (No. 189), and Violence and Harassment Convention, 2019 (No. 190)

- Address gender biases in policies, legislations, institutions, and practices, including in the Labour Code and its application.

#### **Establishing a social protection floor and a maternity benefit fund**

- Invest in extending the coverage and improving the adequacy of social protection through a two-dimensional approach. The horizontal dimension involves rapidly implementing a universal basic social protection floor. Such a floor should ensure universal access to essential health care and income security. The vertical dimension involves the progressive achievement of higher levels of protection within a comprehensive social security system.
- Ensure that maternity protection is accessible to all employed women, including women entrepreneurs, and study the possibility of establishing a maternity benefit fund in consultation with social partners.

## ► List of acronyms

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<b>COVID-19</b>	Coronavirus disease 2019
<b>ADB</b>	Asia Development Bank
<b>AELM</b>	Agency for External Labour Migration
<b>CCI</b>	Chamber of Commerce and Industry
<b>CEACR</b>	Committee of Experts on the Application of Conventions and Recommendations
<b>CPI</b>	Consumer Price Index
<b>DWT</b>	Decent Work Technical Support Team
<b>ECI</b>	Economic Complexity Index
<b>EPIC</b>	Equal Pay International Coalition
<b>EU</b>	European Union
<b>FAO</b>	Food and Agriculture Organization
<b>FX</b>	Foreign Exchange
<b>FTU</b>	Federation of Trade Unions
<b>GDP</b>	Gross Domestic Product
<b>GNI</b>	Gross National Income
<b>HIV/AIDS</b>	Human immunodeficiency virus infection and acquired immune deficiency syndrome
<b>HRC</b>	Human Rights Council
<b>IAFFE</b>	International Association for Feminist Economics
<b>ICATUS</b>	International Classification of Activities for Time-Use Statistics

<b>ICLS</b>	International Conference of Labour Statisticians
<b>ICT</b>	Information and Communication Technology
<b>ILO</b>	International Labour Organization
<b>IMF</b>	International Monetary Fund
<b>IPU</b>	Inter-Parliamentary Union
<b>ISCO</b>	International Standard Classification of Occupations
<b>ITUC</b>	International Trade Union Confederation
<b>L2CU</b>	Listening to the Citizens of Uzbekistan survey
<b>NSDS</b>	National Strategy for the Development of Statistics
<b>MEDPR</b>	Ministry of Economic Development and Poverty Reduction
<b>MELR</b>	Ministry of Employment and Labour Relations
<b>MoA</b>	Ministry of Agriculture
<b>MoF</b>	Ministry of Finance
<b>MoFA</b>	Ministry of Foreign Affairs
<b>NGO</b>	Non-Governmental Organization
<b>OECD</b>	Organization for Economic Co-operation and Development
<b>PEA</b>	Private Employment Agency
<b>PES</b>	Public Employment Service



<b>SCS</b>	State Committee on Statistics
<b>SDG</b>	Sustainable Development Goal
<b>SEWA</b>	Self-Employed Women's Association
<b>SME</b>	Small and Medium Enterprise
<b>SNA</b>	System of National Accounts
<b>SOE</b>	State-Owned Enterprise
<b>STEM</b>	Science, Technology, Engineering, and Mathematics
<b>UN</b>	United Nations
<b>UNCTAD</b>	United Nations Conference on Trade and Development
<b>UNDESA</b>	United Nations Department of Economic and Social Affairs
<b>UNDP</b>	United Nations Development Programme
<b>UNESCO</b>	United Nations Educational, Scientific, and Cultural Organization
<b>UNICEF</b>	United Nations Children's Fund
<b>UNSD</b>	United Nations Statistics Division
<b>UN Women</b>	United Nations Entity for Gender Equality and the Empowerment of Women
<b>USD</b>	United States Dollar
<b>UZAIFSA</b>	Uzbekistan Agroindustry and Food Security Agency
<b>UZS</b>	Uzbekistani sums

<b>WCU</b>	Women's Committee of Uzbekistan
<b>WEC</b>	Women's Entrepreneurship Centre
<b>WIEGO</b>	Women in Informal Employment: Globalizing and Organizing

## ► 1. Introduction

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This report responds to the need for a comprehensive analysis of the position of women in the world of work of Uzbekistan.<sup>1</sup> It aims to inform policy, legislation, and initiatives that seek to develop and promote decent work for all women and men.

The analysis is based on a review of available empirical evidence, national law and policy, international labour standards as per documents of the ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR), other published materials, and insights from the interviews conducted in the period from 26 January to 2 February 2020 with representatives of national stakeholders and international partners including representatives of the Ministry of Employment and Labour Relations (MELR), Chamber of Commerce and Industry (CCI), Federation of Trade Unions (FTU), Women's Committee of Uzbekistan (WCU)<sup>2</sup>, Central Bank, Ministry of Agriculture, Ministry of Finance, Ministry of Higher and Secondary Specialized Education, Ministry of Investments and Foreign Trade, and State Committee on Statistics (SCS). Representatives of the Asia Development Bank (ADB), European Union (EU) delegation, Food and Agriculture Organization (FAO), ILO, United Nations Development Programme (UNDP), and World Bank provided valuable information, which analysis and insights are reflected in this report. Further technical data is received from the Social Protection specialists of the ILO DWT CO for Eastern Europe and Central Asia, ILO officials in Uzbekistan, representatives of the Gender, Equality and Diversity & ILOAIDS Branch, and the Fundamental Principles and Rights at Work Branch.

The next section sets the overall country context. Following it is the main part of the report, which is structured around five major themes: labour statistics and their gender responsiveness, employment opportunities, working terms and conditions, social protection, and labour management.

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1 As articulated in the 2019–2020 action plan for the implementation of the Decent Work Country Programme.

2 Presidential Decree No. UP-5938 of 18.02.2020, the Women's Committee of Uzbekistan was abolished. The research institute "Mahalla va Oila" was formed on the basis of NPIC "Oila" and the Training, Methodology and Research Center "Mahalla".

## ► 2. Country context

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### 2.1 Policy and legal framework

Uzbekistan is witnessing significant formal institutional changes that aim to realize the constitutional guarantee of equal rights for women and men.<sup>3</sup> Social development is one of five priority areas in Uzbekistan’s national development strategy of 2017–2021.<sup>4</sup> The strategy notably aims to increase the socio-political activity of women and strengthen women’s representation, training, employment, and entrepreneurship. Related measures are taken for this purpose such as strengthening the WCU and the Oila/Family Centre of Academic and Applied Research and establishing the Public Fund for Women and Family Support. Additional measures were issued in 2019 to further strengthening guarantees of women’s labour rights and entrepreneurship support.<sup>5</sup> September 2019 witnessed the adoption of legislation “On protecting women from harassment and violence” and “On guarantees of equal rights and opportunities for women and men”.<sup>6</sup> In March 2020, regulations were approved on the procedure for conducting gender legal examination of normative legal acts and their drafts.<sup>7</sup> Ongoing discussions on reforming the Labour Code aimed at ensuring that legislation is free from gender stereotypes and consistent with international labour standards.

### 2.2 Demographic situation

Women represent about half of Uzbekistan’s resident population, estimated at 34 million persons as of March 2020.<sup>8</sup> The rate of urbanization has fallen from 51.7 per cent in 2009 to 50.6 per cent in 2018.<sup>9</sup> The agriculture thus remains the most important industry in the country’s economy. The country has made significant progress in implementing the human development concept. In 2018, Uzbekistan is included in the group of countries with a high level of human development ranked 108th of 189 countries on the Human Development Index, placing it in the high human development group.<sup>10</sup> Uzbekistan ranked 64th of 162 countries on the Gender Inequality Index. Between 2000 and 2017, life expectancy at birth increased from 73.2 to 76.1 years for women and from 68.4 to 71.3 years for men. The total fertility rate fell from 4.20 births per women in 1991 to 2.19 in 2012 and has been increasing since, reaching 2.42 in 2017.<sup>11</sup> It was higher in rural than in urban areas (2.62 and 2.2 respectively).

The average annual rate of population growth fell from 2.49 per cent in the 1980s to 1.41 per cent in the 2000s.<sup>12</sup> It has risen to 1.6 per cent in the 2010s.<sup>13</sup> Between 2009 and 2019, the population grew by more than a fifth (20 per cent). The share of those younger than 25 years decreased from 53 per cent in 2009 to

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3 Constitution of the Republic of Uzbekistan, Article 46.

4 Presidential Decree No. 4947 of 7 February 2017.

5 Presidential Resolution No. 4235 of 7 March 2019.

6 Laws Nos. 561 and 562 of 2 September 2019

7 Cabinet Resolution No. 192 of 30 March 2020.

8 <https://stat.uz/en/> (SCS, 2020). Report also covers subdomains on gender and national sustainable development goals.

9 SCS (2020).

10 UNDP (2020).

11 SCS (2020).

12 SCS (2020).

13 UNDESA Population Division (2019a).

46 per cent in 2019. The total-age dependency ratio fell from 0.89 in 2000 to 0.62 in 2012-2013. It has been increasing since, reaching 0.68 in 2018, signalling the urgency of advancing decent work for all, taking into account this opportunity to reap the benefits of the demographic dividend. In 2018, the average household consisted of 5 persons, with 82 per cent of households consisting of at least 4 persons. Family responsibilities play a major role in determining employment outcomes, particularly for women.

## 2.3 Economic situation

Uzbekistan has been seeking to move away from the economic model that “tended to direct resources to capital-intensive production by large state-owned enterprises (SOEs), favoring mining, energy, and chemicals, while agriculture continued to operate largely in Soviet planning mode. The growth model also prescribed accumulating large foreign exchange (FX) reserves, discouraged mobility of jobless workers, and was not welcoming to foreign investments.”<sup>14</sup> Since 2016, the Government has liberalized foreign exchange, reduced taxes, and improved the quantity and quality of statistics. Real GDP per capita growth has averaged 4.7 per cent since 2010, after averaging 5 per cent in the 2000s.<sup>15</sup>

Meanwhile, the growth of real GDP per person employed averaged 3.9 per cent in the 2000s and 4.8 per cent since 2010. Despite an investment boom, with capital investment rising from 21.6 per cent of GDP in 2016 to 30.6 per cent in 2018, economic growth was limited. Reasons include bad climate conditions negatively affecting agriculture and shortages in energy and water.<sup>16</sup> There are significant gender differences in income. According to expert estimates, at 2011 PPP \$, in 2018 the Gross National Income (GNI) per capita was 4,656 USD for women and 8,277 USD for men.<sup>17</sup> That is women's income is 56 per cent of men's income.

The structure of employment has not evolved significantly in the past decade, with the distribution of employment by economic activity remaining largely stable between 2010 and 2018 (**Figure 1**).<sup>18</sup> The primary sectors of employment were agriculture, forestry, and fisheries with more than a quarter of employment. It was followed by industry, with about half as many jobs, and trade, with about one-tenth share of employment. In 2018, women held 46 per cent of total jobs – 44 per cent of jobs in agriculture, forestry, fishing, and industry, and 52 per cent of jobs in trade.<sup>19</sup>

The economy remains reliant on extractive industries and low value-added activities. According to preliminary results, two economic sectors contributed to 58 per cent of GDP for 2019: 28 per cent for agriculture, forestry, and fishing and 30 per cent for industry.<sup>20</sup> Within industry the largest subsector in 2019 was metallurgical industry (22 per cent). Next were manufacture of motor vehicles, trailers, and semi-trailers (13 per cent), food products (13 per cent), and textiles (12 per cent).

The evolution of GDP structure by type of economic activity can be glimpsed from comparing the past decade to the previous one. The share of industry has remained stable, the share of trade, accommodation, and services has decreased.<sup>21</sup> Meanwhile, the share of agriculture, forestry, and fishing has increased (**Figure 1**). Between 2000 and 2018, within agricultural sector the share of organizations

14 IMF (2019, p. 4).

15 SCS (2020).

16 IMF (2019).

17 UNDP (2020).

18 SCS (2020).

19 SCS (2020).

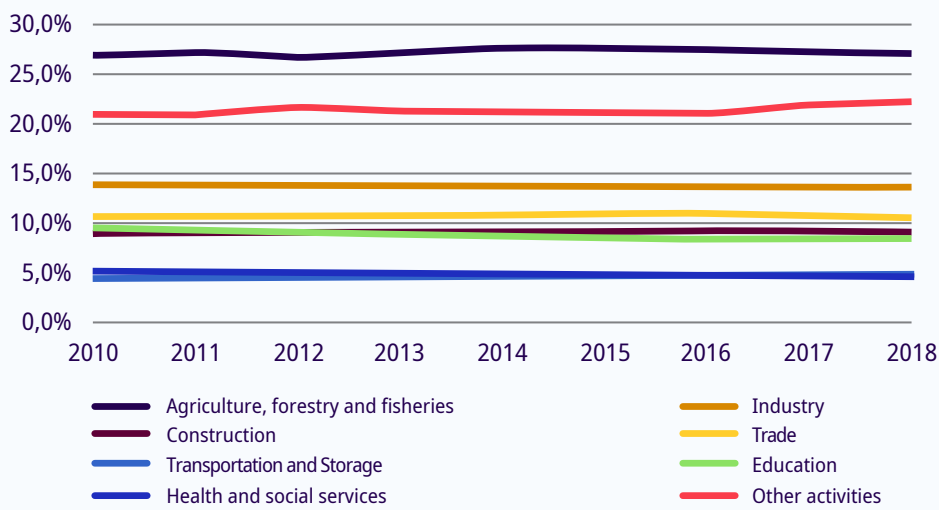
20 SCS (2020).

21 SCS (2020).

engaged in agricultural activities fell from 28 per cent to 3 per cent, and the share of farms increased from 6 per cent to 26 per cent, and the share of family (dehkan) farms increased from 67 per cent to 71 per cent.

► **Figure 1.**

Evolution of employment by economic activities



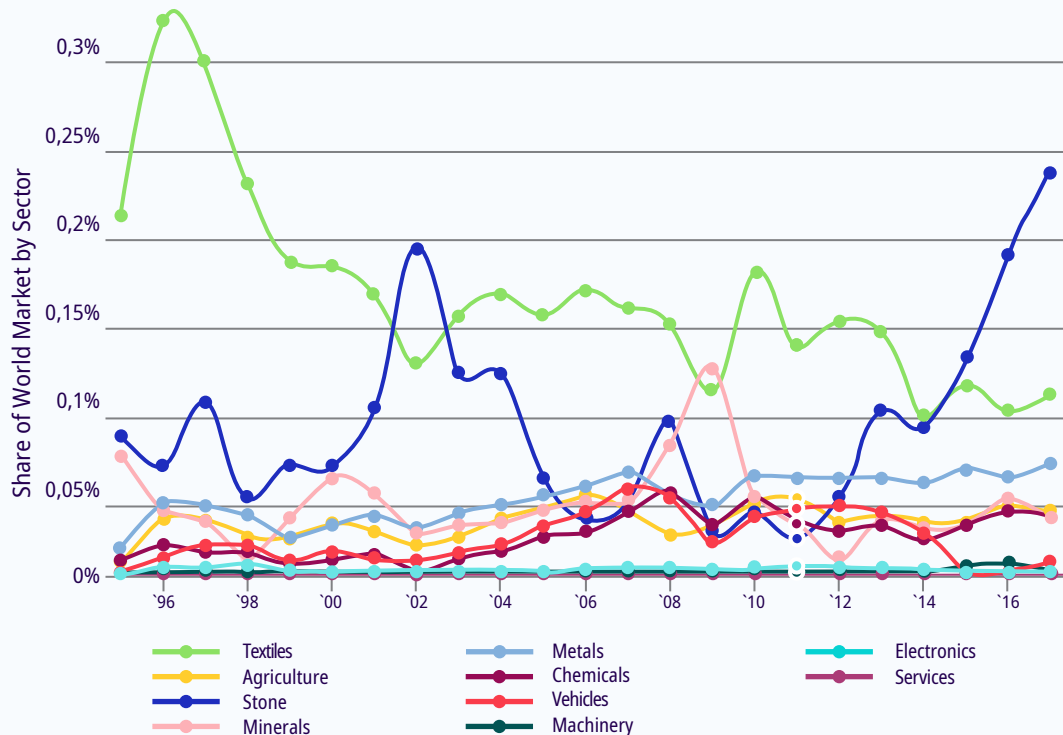
Source: Author, based on SCS (2020).

Uzbekistan’s exports have become less diverse in the past decade (**Figure 2**), as indicated by the deterioration of its Economic Complexity Index (ECI).<sup>22</sup> Based on 2018 data Uzbekistan ranked as the 80<sup>th</sup> most complex country in the ECI ranking. Although the decade witnessed increasing diversification of exports, they were of lower complexity than before. In 2017, Uzbekistan exported products worth USD 6.51 billion and imported products worth USD 12.0 billion. Compared to the situation five years ago, exports were a shrinking segment of the economy. In 2017, Uzbekistan’s largest exports were in moderate and low complexity products. The country exported gold (27 per cent of the export), petroleum gases (11 per cent), and cotton yarn containing 85 per cent or more by weight of cotton. The top three export destinations were Switzerland, China, and Russia, whereas the top three import origins were China, Russia, and Kazakhstan. In terms of the evolution of exports, between 1995 and 2017 Uzbekistan’s share of global textiles exports decreased sharply while its share of stone exports increased sharply. Meanwhile, Uzbekistan’s share of global machinery and electronics exports has not changed yet. A detailed gender analysis of international trade is not possible because of data limitations.

<sup>22</sup> The index captures the diversity of exports and their ubiquity. See Hausmann et al. (2014).

► **Figure 2.**

Evolution of Uzbekistan exports as a share of the world market, 1995–2007



Source: Growth Lab at Harvard University (2020).

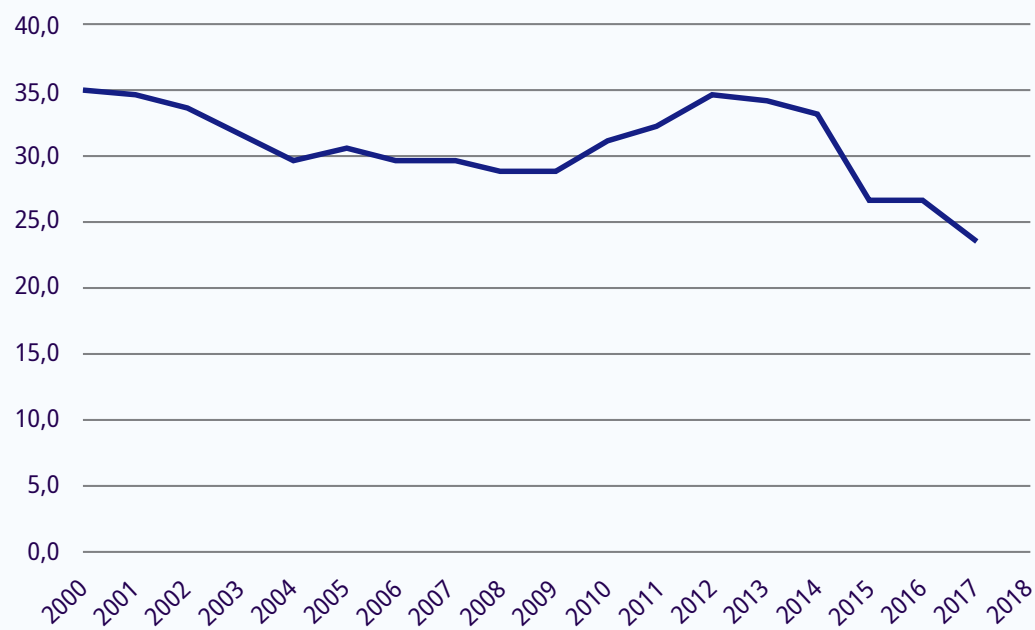
Consumer price inflation has been high in the past two decades. After averaging 25 per cent yearly in 2000–2002, the consumer price index (CPI) stabilized around 6 per cent between 2003 and 2016. It registered an average of 15 per cent between 2017 and 2019.<sup>23</sup> In 2018, 80 per cent of both women and men considered that the prices of the goods were rising too quickly.<sup>24</sup>

Population poverty level has declined in the past two decades, although unevenly and along with increasing personal and functional inequality. The proportion of the population living below the national poverty line fell from 27.5 per cent in 2001 to 11.4 per cent in 2018. There were significant regional disparities in the poverty rate (from 0.4 per cent in Tashkent to 25.9 per cent in Karakalpakstan), as well as between the population of urban (8.4 per cent) and rural (14.3 per cent) areas.<sup>25</sup> Between 2014 and 2018, the income growth of the poor decreased while the overall income growth of the population increased. This suggests rising personal income inequality.

The share of income that the working population receives has been decreasing in recent years.<sup>26</sup> The labour share of income decreased from 35 per cent in 2012 to less than 24 in 2017 (**Figure 3**). This indicates rising functional inequality. In 2018, 6.3 per cent of employed men and 4.7 per cent of employed women had a low labour income<sup>27</sup> insufficient to secure a decent living.

► **Figure 3.**

#### Evolution of the labour share of income in Uzbekistan



Source: Author, based on SCS (2020).

23 SCS (2020).

24 Listening to the Citizens of Uzbekistan survey (L2CU, 2018).

25 SCS (2020).

26 SCS (2020).

27 L2CU (2018).



## ▶ 3. Labour statistics and their gender responsiveness

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### 3.1 Labour statistics

The State Committee of the Republic of Uzbekistan on Statistics, the main producer of official statistical data in the country alongside the Ministry of Finance and the Central Bank, has witnessed important changes in its structure and functional responsibilities over the years.<sup>28</sup> The Ministry of Employment and Labour Relations is responsible for the collection and analysis of employment and labour relation statistics, including on youth, women, persons with disabilities, redundant workers, and other categories of citizens.<sup>29</sup> The SCS has a regularly updated website with pages in Uzbek, Russian, and English. It has developed subdomains for reporting on national sustainable development goals (<http://nsdg.stat.uz>) and gender statistics ([www.gender.stat.uz](http://www.gender.stat.uz)).

The SCS is implementing a National Strategy for the Development of Statistics 2020-2025 (NSDS). The NSDS identifies multiple gaps in relation to labour and gender statistics that need to address including the non-systematic adherence to ILO statistical standards.<sup>30</sup> With respect to labour statistics, the NSDS calls for improvements in multiple areas.<sup>31</sup> The strategy seeks to improve the quality of labour force surveys, for example by introducing electronic data collection and increasing transparency notably with respect to response rates and to launch labour demand surveys building on the pilot experience in that regard. It is important to ensure international comparability of statistics and the need to strengthen the capacity of users of statistics.

Discussions with the SCS suggest the need to develop the capacity of producers of statistics, notably in relation to recent developments in statistical standards and methodologies. Statistical standards referred to in the NSDS need updating. Gender issues in the world of work are defined in the guidelines and addressed in a number of recent Resolutions of the International Conference of Labour Statisticians (ICLS).<sup>32</sup> For example, the NSDS mentions the International Classification by Status in Employment of 1993 (ICSE-93), while two new classifications exist since 2018. The new classifications uncover the level of authority that workers have in decision-making and the economic risk they face. For gender purposes, the International Classification of Status at Work of 2018 (ICSW-18) is important. It covers all in all forms of

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28 Important recent regulations include Presidential Resolution No. 3165 on measures to improve the activities of the SCS of 31 July 2017, Cabinet Resolution No. 690 on approval of the regulations on the SCS of 2 September 2017, and Presidential Resolution No. 4273 on additional measures to ensure openness and transparency of public administration and increasing statistical potential of the country of 9 April 2019.

29 Annex No. 1 to Cabinet Resolution No. 1066 of 31 December 2018.

30 They consist of the Resolutions and Guidelines adopted by International Conference of Labour Statisticians (ICLS), in addition to the relevant international labour standards.

31 These include following the ILO definition of unemployment and the collection of information on working hours, job vacancies, earnings, labour costs, gender pay gap. In terms of standards, it refers to International Standard Classification of Occupations (ISCO) of 2008, the International Classification of Status in Employment (ICSE) of 1993, and the Resolutions of the 19th International Conference of Labour Statisticians of 2013.

32 Topics that ICLS have addressed since 2003, in addition to the ISCO, include: consumer price indexes, household income and expenditure, informal employment, gender mainstreaming, working time, work, employment, and labour underutilization, decent work, forced labour, child labour, cooperatives, labour migration, work relationships, labour rights, youth employment, as well as qualifications and skills mismatches of persons in employment.

work activities including own-use production work,<sup>33</sup> volunteer work, unpaid work of trainees or persons undergoing vocational training, and employment. Since about nine in ten unpaid workers in Uzbekistan are women, it is critical to make their position visible. Women's employment is often in the informal economy. The NSDS refers to the informal sector, but not informal employment, which also exists in the formal sector.<sup>34</sup> It is important to capture labour underutilization to understand women's situation in the world of work. The NSDS refers to unemployment but not to time-related underemployment and potential labour force. Uzbekistan implemented with ILO support a decent work country programme for 2014–2016, which was extended until 2020. Decent work standards also feature in SDG 8 in the field of sustainable development. Since decent work indicators are key for monitoring progress, the ILO has developed a manual that provides guidelines on measuring and decent work indicators.<sup>35</sup> The NSDS, however, makes no mention about it.

## 3.2 Gender responsiveness

National statistics in general, and labour statistics more specifically, do not provide separate indicators by gender. There are also deficits in labour statistics more generally. Accordingly, it is currently difficult to assess progress in women's situation, including through monitoring and evaluation systems and impact assessment. National authorities understand the need to eliminate this problem, decisions are made at the highest levels. The Government has developed the list of 54 minimum gender indicators, to be regularly updated on [www.gender.stat.uz](http://www.gender.stat.uz).<sup>36</sup> The list adapts the United Nations minimum set of gender indicators. The list assumes data coverage related to unpaid and paid work, self-employment and wage employment, earnings, education, and access to resources. At the time of writing, however, data for many of the minimum gender indicators were missing. The data with specific deficits include time spent on unpaid domestic and care work, part-time work, informal employment, ownership of enterprises, access to credit, and employment of workers aged 25–49 years with children under 3 years of age. Some of these indicators are SDG indicators and need to be sex disaggregated. The introduction of minimum gender indicators needs to be complemented with their regular measurement and reporting.

There is a risk that the minimum gender indicators are interpreted as the only data, with other indicators not addressing gender concerns. Currently the statistics on the main website of the SCS are mostly not sex disaggregated. Even indicators on <http://nsdg.stat.uz> website do not systematically provide sex-disaggregated results, for example regarding the proportion of time spent on unpaid domestic and care work (15.5 per cent in 2018), and the proportion of informal employment in non-agricultural employment (54.3 per cent in 2018). Discussions with the SCS have revealed needs for capacity development regarding the collection, processing, and reporting of gender-responsive statistics, both within SCS and other institutions responsible for various statistical indicators such as the Ministry of Employment and Labour Relations and the Public Services Agency. Sex disaggregation is relatively easy to introduce in cases in which statistics exist, notably in the areas the SCS denotes as demography, labour market, living standards, social protection, rights of mother and children, among others. More challenging are cases in which there is no collection of statistical data, for instance regarding time spent on unpaid domestic and care work, which would require time-use surveys based on the International Classification of Activities for Time-Use Statistics (ICATUS). The NSDS recognizes the need to develop gender statistics in line with international standards, without mentioning any such standards. The ICLS Checklist of good practices

33 This category includes own-use production of goods and own-use production of services. The latter is also known as unpaid household services or unpaid care work. Unpaid care work includes housework and care of persons.

34 Informal employment encompasses informal employment in informal sector enterprises, formal sector enterprises, and households.

35. ILO (2013a).

36 Presidential Resolution No. 4235 of 7 March 2019.

for mainstreaming gender in labour statistics of 2003 provides general guidance (Box 1). Publications of the United Nations Statistics Division provide additional guidance, including on integrating a gender perspective into statistics,<sup>37</sup> producing statistics on asset ownership from a gender perspective,<sup>38</sup> and producing statistics on violence against women.<sup>39</sup>

#### ► Box 1. Monitoring decent work and gender equality

Decent work is at the heart of a human-centred agenda for the economy. Economic, financial, and other policies and measures should be judged according to whether they promote or hinder decent work for all. The framework on the measurement of decent work covers ten substantive elements: employment opportunities; adequate earnings and productive work; decent working time; combining work, family and personal life; work that should be abolished; stability and security of work; equal opportunity and treatment in employment; safe work environment; social security; social dialogue, employers' and workers' representation.

The ten substantive elements represent the structural dimensions of the decent work measurement framework under which both statistical and legal framework indicators on decent work are organized and classified. There is an additional substantive element related to the economic and social context for decent work. In terms of defining a set of decent work indicators for a given economy, countries are encouraged to select from the total list of statistical and legal framework indicators and add additional indicators to reflect their national circumstances and decent work policy agenda. It is recommended that indicator selection at the national level be accomplished through a tripartite consultation process.

To usefully address gender concerns, and to understand more fully the labour market functioning, labour statistics should satisfy the following four requirements:

- (1) They will be based on a political will at all levels, in the various data collection and analysis agencies and in all agencies which can provide administrative information;
- (2) The data collection procedures for labour statistics will ensure that, as far as possible, all relevant topics for describing gender concerns are regularly included. Such topics may include employment in the informal economy, non-SNA work, employment by detailed occupations and status in employment categories, income from paid and self-employment, statistics on the life course, on lifelong learning and on working time;
- (3) The data collection and processing procedures for labour statistics programmes will be designed to ensure that definitions and measurement methods cover and adequately describe all workers and work situations in sufficient detail to allow relevant gender comparisons to be made. Household and establishment-based surveys as well as administrative sources are valuable and, in particular, periodical time-use surveys are crucial;

37 UNSD (2016).

38 UNSD (2019).

39 UNSD (2014).

(4) The resulting statistics will always be presented as part of regular publications in a way that will clearly reveal differences and similarities between men and women in the labour market and the factors that may influence their situations. This can be done by (i) presenting relevant topics in sufficient and relevant detail, and by (ii) providing statistics according to relevant descriptive variables, of e.g. personal and family circumstances, work environment and institutional setting.

Source: ILO 17th ICLS, 2003; ILO (2013a).

Better data transparency is needed, as well as coordination among producers of statistics, and between producers and users. Published statistical results are often presented in a manner that makes finding the information and analysing it difficult.<sup>40</sup> With respect to the credibility and comparability of statistics, a concern is that publications do not systematically mention the methodology adopted and the sources used. A metadata webpage provides useful information which can be further detailed and directly linked to in data files. To ensure that statistics respond to the needs of users, user-producer dialogues can be organized on a regular basis, with the involvement of experts from government institutions, social partners, WCU, NGOs, as well as research and media institutions. Making microdata available in an anonymized form, either through public access or through memorandums of understanding can contribute to improving the impact of data collection. The SCS series on 'Women and Men of Uzbekistan', the regular publication of which is to be resumed according to the State Statistical Work Programme for 2020, would benefit from such dialogue and its publication can be resumed accordingly.<sup>41</sup>

40 For example, on household income, at the time of writing the SCS webpage on living standards provided separate files for total income and distribution among major categories until 2018, while the page on quarterly reports provided a report on the total income of the population for the full year 2019 at a higher level of detail, and the page on the household survey provided a report on the first half of 2019. Downloadable data files with enough information to produce such reports were not available on any of the pages. With respect to the gender dimension, some sex-disaggregated statistics reported on the [nsdg.stat.uz](https://nsdg.stat.uz) page were not available on the [gender.stat.uz](https://gender.stat.uz) page, and sex-disaggregated statistics available on either of them were not present on the main website even for the same topics.

41 The CEACR has also requested it for purposes of monitoring the application of Equal Remuneration Convention, 1951 (No. 100).

## ▶ Recommendations regarding labour statistics and gender responsiveness

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Conduct an assessment of gender mainstreaming and decent work measurement in the national statistical system, with expert support as necessary. Convene validation meetings with relevant stakeholders to discuss findings and recommendations. During consultations based on the results, develop an action plan ensuring gender balance. The action plan should have such points as timelines, targets, benchmarks, and indicators for regular monitoring. Elements that could go into the action plan are the following:

- ▶ Development of the capacities of relevant actors on the collection, processing, and analysis of decent work indicators and gender-responsive statistics, including sex-disaggregation of all statistics and coverage of topics of gender concern, in addition to the minimum gender indicators
- ▶ Ensuring regular updating of the national statistical system in line with the most recent ICLS Resolutions and Guidelines, notably regarding decent work, employment, and labour underutilization, work relations, and informal employment
- ▶ Ensuring gender mainstreaming into all stages of data collection and production of official statistics in line with ILO and UNSD guidance
- ▶ Ensuring that concepts, definitions, classifications, sources, methods, and procedures are made transparent for the users
- ▶ Ensuring that the minimum gender indicators are measured regularly
- ▶ Conducting regular time-use surveys in line with the International Classification of Activities for Time Use Statistics (ICATUS 2016)
- ▶ Organizing regular user and data producer dialogues on gender-responsive labour statistics
- ▶ Publish the Women and Men of Uzbekistan series on a regular basis.

## ► 4. Employment opportunities

This section addresses employment study outcomes and their determinants in employment and related policies.

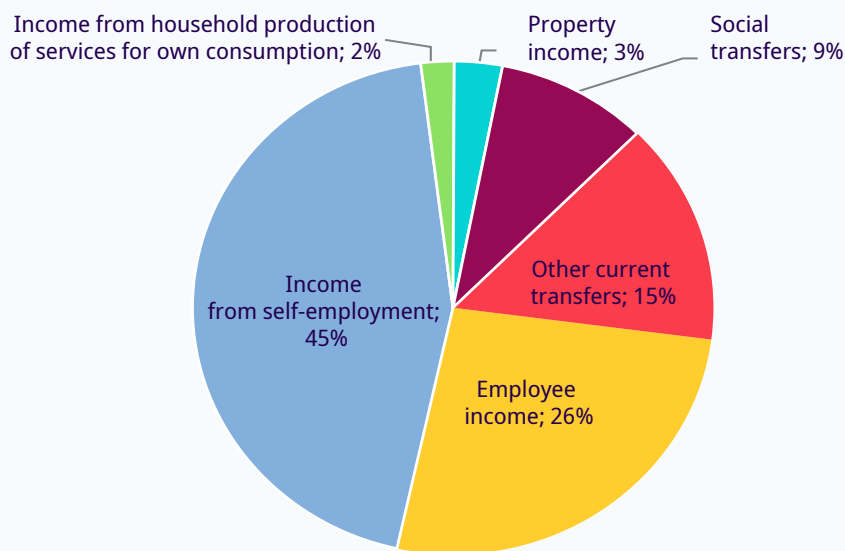
### 4.1 Employment study outcomes

#### 4.1.1 Gender division of labour

Employment is the main source of household income in Uzbekistan. Income from production represented about three-quarters of household income in 2018, even without counting unpaid domestic services (**Figure 4**).<sup>42</sup> Slightly less than half of household income is from self-employment. This reflects an insufficient generation of wage employment opportunities, as self-employment is more prevalent among the poor and among the rural population.<sup>43</sup>

► **Figure 4.**

The structure of total income of the population, 2018



**Source:** Author, based on SCS (2020).

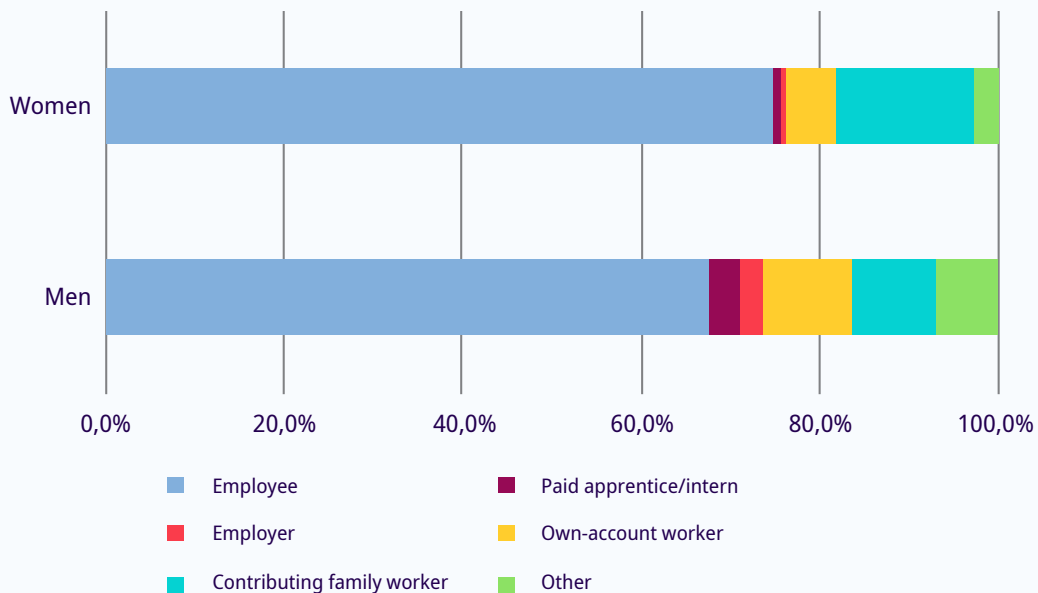
42 Income from production includes employee income, income from self-employment, and income from production of services for own consumption. According to the ICLS Resolution concerning household income and expenditure statistics of 2003, income from household production of services for own consumption consists of the net estimated value of: (1) housing services provided by owner-occupied dwellings; (2) unpaid domestic services; and (3) services from household consumer durables. Only the first item is measured by the SCS.

43 L2CU (2018).

Self-employed men are more likely than women to be independent workers (own-account workers or employers), whereas women are more likely to be dependent workers (contributing family workers) (Figure 5). This reflects gender differences in ownership and control of resources. Employees' share of total employment is higher among women than among men, signalling that women prefer wage employment.

► Figure 5.

Status in employment, working population aged 15–65, 2018



Source: Author, based on L2CU (2018) data.

Most employed women and men are employees. The over-representation of women in wage employment is likely a reflection of their quest for decent jobs with decent social protection, including maternity protection. Women with a are often expected to be the main unpaid care workers in their households as well, leading to a double burden. Employed women are more likely to be in the public sector, which typically offers more stable jobs and more favourable terms and conditions. In 2018, 58.7 per cent of women and 41.3 per cent of men worked in the public sector. The proportion of women working in the private sector was 26.0 per cent and men 74.0 per cent.<sup>44</sup> Reducing the size of the public sector is thus likely to have negative repercussions for women as wage earners.

44 SCS.

The estimation of income from household production of services for own consumption at only 2 per cent of household income notably reflects the lack of analysis of unpaid domestic services, which are mainly provided by women. In Uzbekistan, more than 90 per cent of persons dedicated to unpaid care work are women.<sup>45</sup> The value of such work can be glimpsed from estimates for other countries. Even if valued at the level of the minimum wage the value of unpaid care work is about one-tenth of global GDP.<sup>46</sup> Analysing works in all its forms gives insights of the employment environment beyond a narrow focus on employment.

In 2018, 60 per cent of both women and men of working age were working (**Figure 6**).<sup>47</sup> Most working women were full-time unpaid workers whereas most working men were in employment. This gender division of labour is related to the known male breadwinner bias. Ignoring unpaid care work may give rise to the erroneous view that since 57 per cent of men are employed, compared to only 28 per cent of women, women's potential is wasted. It also reflects an undervaluation of care work, which undervaluation is gender-biased because care work is undertaken around the world mainly by women. In Uzbekistan, 33 per cent of working-age women engaged in unpaid care work as main activity, compared with 3 per cent of working-age men.<sup>48</sup> The undervaluation of women's work also contributes to gender inequality in pay of those with jobs.<sup>49</sup>

As most working women are dedicated to unpaid care work, for their monetary income they depend on others, typically other family members, mainly men, state and non-state institutions. 9 per cent of social transfers include pensions, benefits, and scholarships. Other current transfers, at 15 per cent, are remittances, mainly from labour migrants abroad. International remittances cannot be a stable type of payment because they depends on financial fluctuations in the country of employment of migrant workers, as exemplified in the case of remittances from Russia.

Given gender inequality in the ownership of property, the bulk of property income is likely to be received by men. At 3 per cent of household income, property income is interest, dividends, royalties, and other property income. Most real estate is registered to men, most residential houses are acquired through gender-biased inheritance, and men own most significant assets.<sup>50</sup> In 2016, property registered to women accounted for only 22.3 per cent of the total value of property registered with the national real property registry and cadastre system. Because of the prevailing male breadwinner bias, "women prefer to register property in the name of their husband to avoid offending his dignity. Other barriers to women's home ownership include fear of nonperforming credit related to the prospect of maternity leave; underemployment, with salaries insufficient for creditworthiness; and lack of knowledge of banking systems."<sup>51</sup>

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45 L2CU (2018).

46 ILO (2018a).

47 L2CU (2018).

48 L2CU (2018).

49 Pay equity is discussed in Section 5.2.

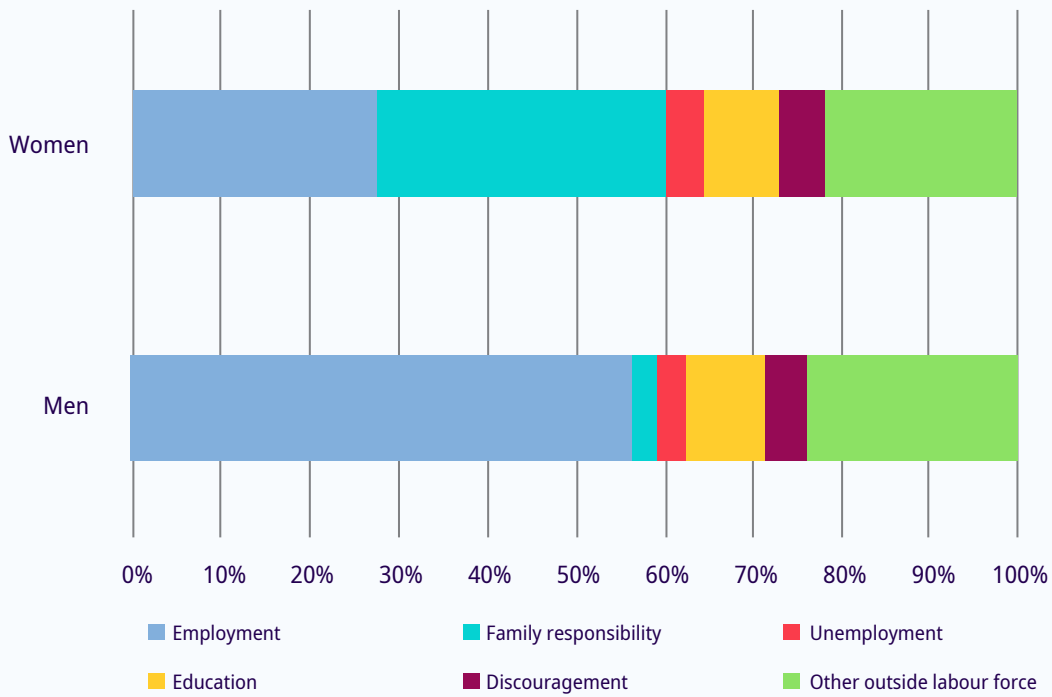
50 ADB (2018).

51 ADB (2018, p. xvii).



► **Figure 6.**

Distribution of the working-age women and men by main activity (%), 2018



Source: Author, based on L2CU (2018).

### 4.1.2 Gender differences in access to employment

The inability of the economy to generate the sufficient number of decent jobs affects women and men unequally. In 2018, the official unemployment rate was 9.3 per cent overall. Women’s unemployment rate was 50 per cent higher than men’s (11.6 per cent and 7.7 per cent respectively).<sup>52</sup> More than 20 per cent of young people (16 to 24 years of age) were not in education and not in employment.

The measurement of the unemployment level is a technical issue with significant implications for the labour and employment policy. The MELR changed the method of measuring the unemployment level in 2018.<sup>53</sup> As a result, the official unemployment rate increased by 61 per cent between 2017 and 2018. Using a different methodology, the L2CU (2018) survey finds higher rates of unemployment and lower rates of employment. Compared to men, in 2018 women had almost half the labour force participation rate, less than half the employment-to-population ratio, and more than double the unemployment rate

52 SCS (2020).

53 World Bank (2018).

**(Figure 7).** More than a quarter of the working people was in vulnerable population. Employed women were slightly less likely to be in vulnerable employment than employed men (24.2 per cent and 28.9 per cent respectively).

The reduction of jobs in 2017-2018 amounted to 583.8 thousand jobs (excluding farms, non-profit NGOs, Societies of Private Residence Owners) according to official statistics.<sup>54</sup> It is also reflected in the prevalence of long-term unemployment. In 2018, among the unemployed, 50 per cent of women and 35 per cent of men were unemployed for a year or longer.<sup>55</sup> Youth unemployment rates were almost double the overall rates for both women and men, pointing to difficulties in the study-to-work transition, particularly for young women.

In terms of job search methods, most jobseekers relied either on public employment offices (42 per cent of women and 50 per cent of men) or private job centres (25 per cent of women and 23 per cent of men).<sup>56</sup> The fact that half of job seekers did not rely on the public employment service (PES) reflects its inability to respond to their needs. This may partly reflect institutional deficits in addition to overall structural deficits in the economy. Workers who cannot find jobs in Uzbekistan or abroad are increasingly likely to rely on help of private employment agencies (PEAs). The adequate governance of PES and PEAs is thus key to assist women and men to find jobs.

Providing multiple measures of labour underutilization that are consistent with international statistical standards can help ground the employment policy on a more reliable basis. According to a MELR press release, in 2019 the unemployment rate fell to 9 per cent. It was higher among youth aged 16-30 (15 per cent) and women (12.8 per cent).

Official statistics, however, overestimate total employment rate and underestimate women's employment and the rate of unemployment. For example, they count within the employed Uzbekistani workers abroad, amounting to 2.4 million persons in 2018. Meanwhile, according to official data the overall unemployment rate was 9.3 per cent in 2018. Moreover, less than 2.5 per cent of the unemployed are officially registered as such.

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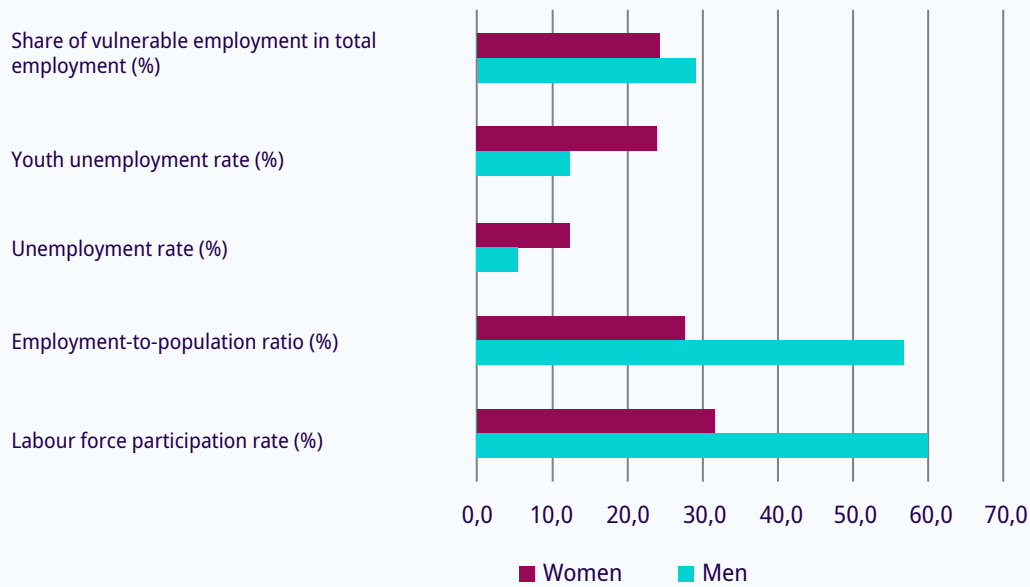
54 SCS (2020).

55 L2CU (2018).

56 L2CU (2018).

► **Figure 7.**

Gender differences in employment outcomes in Uzbekistan, 2018



Source: Author, based on L2CU (2018) data.

### 4.1.3 Gender segregation in employment

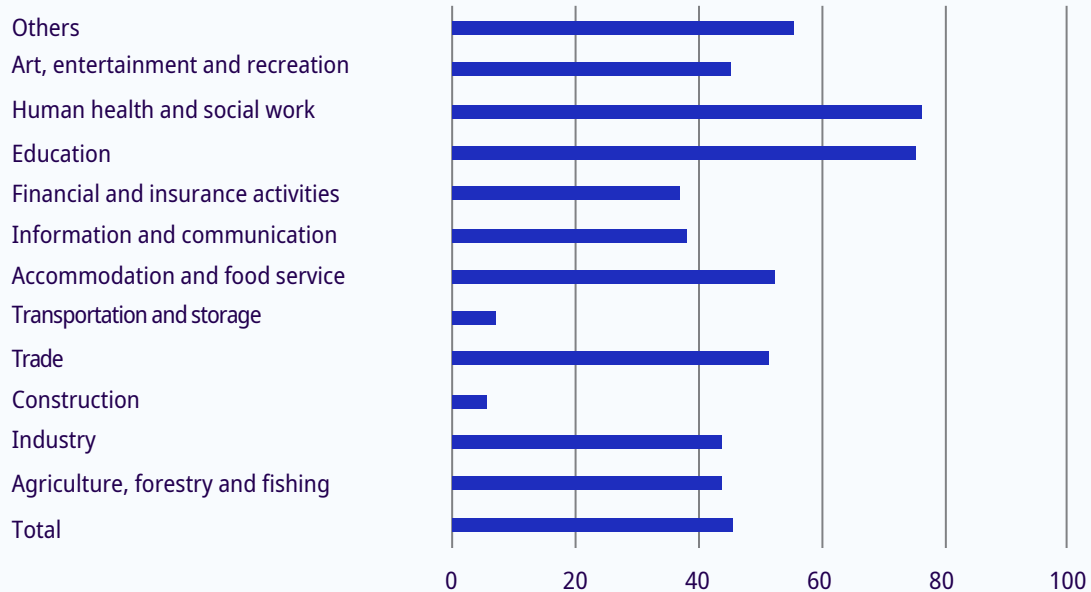
In addition to the sharp gender division of labour between paid and unpaid work, segregation between women and men in employment is strong, both vertically and horizontally. It is not possible to comprehensively assess occupational vertical gender segregation because of the non-measurement of occupations data. In 2017, only 1.7 per cent of management staff were women.<sup>57</sup> In 2018, women held 27 per cent of decision-making positions, excluding small businesses and micro-firms, with no significant change for more than a decade.

In terms of horizontal segregation, too many women are busy taking care of children and household. In 2018, the proportion of women employed in education, health care, and social services was just under three-fourths of the total employed population. Meanwhile, the proportion of women employed in construction was 5.8 per cent, and in transportation and storage was 8.5 per cent (**Figure 8**).

<sup>57</sup> SCS (2020).

► **Figure 8.**

Women's share of employment (%), 2018



Source: Author, based on SCS (2020) data.

Information at the aggregate sectoral level needs to be complemented by more fine-tuned analysis. For example, women's share in agricultural employment seems similar to their share of total employment, which may at first sight suggest limited differences with men in the sector. Yet there are gender differences in market engagement. In 2018, women held one-third of agricultural jobs at companies, which products are only for sale or barter. Meanwhile, women held the majority of agricultural jobs in which products are only for family use.<sup>58</sup>

#### 4.1.4 Gender and migration

Migration is an important area to address in promoting gender equality and decent work. The country has witnessed net emigration, i.e. migration loss every year since 2008. Migration is mainly for family and employment reasons for both women and men. In 2019, 42 per cent of Uzbekistani nationals who left the country for residence abroad were women. Meanwhile, 46 per cent of foreigners arriving for residence in Uzbekistan are women.<sup>59</sup>

<sup>58</sup> L2CU (2018).

<sup>59</sup> SCS (2020).

Migration is often a response to poor job opportunities. In Uzbekistan, emigration is “highest for households with unemployed members, in areas with high unemployment overall, for households with low confidence in [local job prospects], and in locations with high reliance on social protection benefits.”<sup>60</sup>

In 2019, international estimates suggest there were about 1.17 million international migrants in the country (53 per cent women), but this is an underestimation.<sup>61</sup> Official numbers are much higher, with 2.6 million international labour migrants by the first half of 2019.<sup>62</sup> According to international estimates, about three quarters were from Russia and one tenth from Ukraine; meanwhile, there were 1.98 million Uzbekistani migrants abroad (48 per cent women), mainly in Russia (58 per cent) and Kazakhstan (15 per cent).<sup>63</sup> According to official statistics, 2,543 persons arrived in Uzbekistan for permanent residence from abroad in 2019.<sup>64</sup> About a third came from Kazakhstan, a quarter from Russia, and a fifth from Tajikistan. In the same year, 13,229 persons departed from Uzbekistan to a permanent residence abroad. The main migration destinations were Kazakhstan (58 per cent) and Russia (38 per cent).

In early 2020, there were about 97 thousand stateless persons in Uzbekistan according to the United Nations High Commissioner for Refugees. About 49 thousand were set to acquire citizenship<sup>65</sup> following the passing of the new law “On Citizenship of the Republic of Uzbekistan” that came into effect on the 1<sup>st</sup> of April 2020.

## 4.2 Employment and related policies

### 4.2.1 Employment and macroeconomic policies

Uzbekistan has witnessed jobless growth, low productivity of jobs created, and women and youth do not have good job opportunities.<sup>66</sup> More than 90 per cent of both women and men in Uzbekistan consider job opportunities for women an urgent important priority of the employment field, and job opportunities should be equal both for women and men.<sup>67</sup> Yet when women seek to engage in paid work, whether by choice or necessity, they face “de-facto constraints on the participation of women in the labour force.”<sup>68</sup> The Constitution of Uzbekistan guarantees to everyone the right to work, free choice of work, fair conditions of labour and protection against unemployment.<sup>69</sup> The Government is committed to pursuing an active policy designed to promote full, productive, and freely chosen employment. The Government has ratified the Employment Policy Convention, 1964 (No. 122) in 1992. The MELR is responsible for implementing a unified employment, labour migration, and labour relations policy.<sup>70</sup>

60 Seitz (2019, p. 32), based on L2CU (2018).

61 UNDESA Population Division (2019b).

62 SCS (2020).

63 UNDESA Population Division (2019b).

64 SCS (2020).

65 <https://www.unhcr.org/news/press/2020/3/5e70b9474/uzbekistan-end-statelessness-50000-people.html>

66 World Bank (2018).

67 L2CU (2018).

68 World Bank (2018, p. 30).

69 Constitution of the Republic of Uzbekistan, Article 37.

70 Annex No. 1 to Cabinet Resolution No. 1066 of 31 December 2018. Other responsibilities include drafting, implementing, and monitoring relevant laws and regulations, including for gender equality and social protection.

### ► Box 2. Investing in decent work and gender equality

The Global Commission on the Future of Work recommends transformative investments in line with the United Nations 2030 Agenda for Sustainable Development. It calls for promoting investments in key areas for decent work and gender equality. It considers that the development of the rural economy should become a priority. Moreover, directing investment to high-quality physical and digital infrastructure is necessary to close the divides and support high-value services. There is thus a need to reshape business incentive structures for longer-term investment approaches. Relevant actions can include fair fiscal policies, revised corporate accounting standards, enhanced stakeholder representation, and changes in reporting practices. New measures of country progress also need to be developed to account for the distributional dimensions of growth, the value of unpaid work performed in the service of households and communities and the externalities of economic activity, such as environmental degradation.

In Uzbekistan, an official preliminary assessment of the State budget for 2019 estimates that 3.4 per cent of total expenditure was for implementing SDG 8 on decent work and economic growth. About 0.5 per cent was for implementing SDG 5 on gender equality. About 26.6 per cent was for SDG 4 on quality education, which is intrinsically connected to the other two goals. In the State Budget for 2019, expenditures on promoting employment and supporting youth and women were at 1,514 billion Uzbekistani sums (UZS). They included 500 billion for the Youth is Our Future programme, 414 billion for organizing public works, 300 billion for the Employment Promotion Fund, and 300 billion for the Public Fund to Support Women and Children. Analysing and improving the State Budget contribution to gender equality requires specific tools to for gender assessment of macroeconomic policies and budgets.

**Source:** ILO (2019a).

The promotion of decent work and gender equality is part of the Government's commitment to realizing the SDGs (**Box 2**). A major obstacle is the erroneous policy assumption that gender equality is a social issue at the micro-level, not an economic issue at the macro-level as well. This obstacle is related to tensions regarding the role of the state in the Uzbekistan economy. Pursuing economic liberalization involves decreasing public provision of goods and services, which typically has detrimental social outcomes, particularly for women. Advancing social development and social protection requires a greater economic role for the state, which has typically positive social outcomes, including for gender equality. The tensions are reflected in various policy documents. The national development strategy captures these tensions by distinguishing an economic and social sphere;<sup>71</sup> women's position is invisible in the economic sphere and relegated to the social sphere. The responsibilities of the Ministry of Economic Development and Poverty Reduction (MEDPR) also feature such tensions.<sup>72</sup> On the economic side, it is tasked with privatization, including of state-owned enterprises, sectors such as railway, air, and road transport, land ownership, energy, and electricity. On the social side, it is responsible for poverty reduction and improvement of minimum standards of social security with targeting criteria. Women and youth, the low-income and the unemployed, are to receive vocational and entrepreneurial training, and specific social programmes targeting women and rural areas should be created.

71 Presidential Decree No. 4947 of 7 February 2017.

72 Presidential Resolution No. 4653 of 26 March 2020.

Gender-equitable socioeconomic development requires macroeconomic policies that remedy persistent gender inequalities in line with a human-centric approach to the economy. Such an approach recognizes that policies that appear distribution-neutral often exacerbate gender and other inequalities. Experience from around the world has led experts to highlight five gender biases in macroeconomic policy:<sup>73</sup> deflationary bias, male breadwinner bias, commodification bias, economic risk bias, and creditor bias. Socioeconomic policies in Uzbekistan need to challenge these gender biases to effectively advance SDGs. Addressing these biases will be critical in the employment policy that is currently under development. The following brief discussion of this subject can promote this activity.

Deflationary bias “gives high priority to low inflation, low public debt, low public expenditure, low taxation and low budget deficits; and low priority to full employment, high public investment and realising the full potential for improvements in the availability of goods and services.”<sup>74</sup> Since women have less access to property ownership and income than men, cuts in social protection affect them more. In Uzbekistan in the past decade, the proportion of total government spending on essential services (education, health and social protection) dropped from 52.7 per cent in 2009 to 41.7 per cent in 2018, while government spending on social protection as a share of GDP fell from 1.9 per cent in 2009 to 0.7 per cent in 2018.<sup>75</sup> The Government has an explicit commitment to fiscal restraint. Moreover, the Central Bank has recently moved towards inflation-targeting to orient its policy.

Male breadwinner bias implicates that men should be given the priority in paid work and women in unpaid work. In 2011, more than half of woman and two-thirds of men in Uzbekistan considered that when jobs scarce, men should have more right to a job than women (56 per cent of women and 67 per cent of men).<sup>76</sup> The women interviewed had different marital status. Six in ten women who were married or living in a common-law marriage agreed with the statement, whereas six in ten women who were single, widowed, divorced disagreed. That is, the income generated by women is assumed to be secondary to that generated by men, men are expected to spend on the family, whereas women are expected to care for the family without pay. Three-quarters of women and men who responded to the Uzbekistan 2011 survey considered it a problem if woman has more income than her husband (72 per cent of women and 77 per cent of men).<sup>77</sup> The male breadwinner bias has a significant impact on the labour and social protection legislation, public policy more generally, as well as the practices of employers and workers. It thus exacerbates inequality between women and men in the world of work, by pushing women to more precarious and lower-paid jobs.

Commodification bias, also known as privatization bias, involves giving priority to market provision of goods and services instead of non-market provision by the state and non-profit sector. Where households cannot afford to pay for the goods and services they need, women and girls are likely to compensate for the deficit by increasing their unpaid work. Wealthy households are likely to employ paid domestic workers, typically poorer women who can be underpaid and are socially unprotected. The bias is exacerbated when “faulty measures of ‘efficiency’ and ‘value for money’ are used; measures which do not take into account non-market costs and benefits; and which focus primarily on physical and financial capital.”<sup>78</sup> In Uzbekistan the accelerated transition to a market economy and expansion of privatization are explicit policy priorities. Women have significantly lower incomes than men, as discussed earlier, and as such they have less ability to access on market goods and services. Moreover, women are overrepresented in Uzbekistan’s public sector, where they have social protection, including

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73 Young et al. (2011).

74 Elson (2002, p. 4).

75 <https://docs.google.com/spreadsheets/d/1tEcFxDplcKIyZb14O0jRWJC-Y3-twBQxwG7d3z8IRs/edit#gid=1904020675>

76 World Values Survey (2020).

77 World Values Survey (2020).

78 Elson (2002, p. 5).

maternity protection. Accordingly, cuts in the public sector are likely to affect women more negatively, both as beneficiaries and as workers.

Risk bias refers to “forms of governance that reduce the extent to which risk is pooled, and measures to protect against it are shared, and instead individualizes risk.”<sup>79</sup> The promotion of entrepreneurship among women, for example, contributes to individualization of risk, especially since a large part of women’s entrepreneurship involves “home-based or subsistence activities in an attempt to combine family responsibilities with the need to generate income for the household.”<sup>80</sup> Another example is in introducing individual savings accounts for social insurance; since women have shorter employment history and lower earnings, the risk they face increases, including for elderly women. Since women own much fewer resources than men, the individualization of risk affects them more deeply. In Uzbekistan, the proportion of women was only 18 per cent of the adult population owning land in April 2019.<sup>81</sup>

Creditor bias refers to prioritizing the interests of creditors over those of debtors. The increasing role of private finance in the economy is typically associated with such a bias. Women typically access financial markets as debtors rather than creditors. Increasing number and size of loans among women can be beneficial in the short-run, and potentially in the longer-run if invested in successful endeavours. Where loans are used more for consumption, or invested in inefficient enterprises, women can become overburden with debt. Since women have lower resources they can use as collateral they are likely to become more financially vulnerable. Increasing women’s access to finance, as debtors, is a policy priority in Uzbekistan. On 8 March 2020, the President of the Republic announced that in the past year more than 172 thousand women had borrowed a total of 4.9 trillion UZS from commercial banks and the Public Fund for Women and Family Support.<sup>82</sup> Whereas State banks can counter creditor bias, the plan to expand the presence of private banks in the country is likely to exacerbate this bias.

Gender-equitable socioeconomic development promotes full employment, decent work, and a universal basic social protection floor for all. It stimulates domestic demand, including by promoting wage employment, higher wages, and more adequate social protection. This can be a critical component of the economic growth and socioeconomic success. UNCTAD has outlined a global new course of development that includes the following elements: ending austerity; interventions in the world of work for achieving not only social goals but also macroeconomic goals such as full employment and reduced inequalities; strengthening the voice of labour; enhancing public investment; raising government revenue, and; taming financial capital.<sup>83</sup> The ILO Centenary Declaration for the Future of Work provides additional guidance in that regard (**Box 3**).

Fair migration and fair recruitment frameworks are key to protecting workers. Without such frameworks, workers are vulnerable to multiple forms of abuses, including forced labour. Women and girls face increased risk of becoming victims of sex trafficking or domestic servitude abroad. Uzbekistan has not yet ratified any of the ILO Conventions that are key to migration and labour intermediation.<sup>84</sup> The country has not ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families and has not applied ILO general principles and operational guidelines for fair recruitment.<sup>85</sup>

79 Young et al. (2011, p. 3).

80 Welter and Smallbone (2008, p. 517).

81 SCS (2020).

82 MoFA (2020).

83 UNCTAD (2019).

84 Such as the Migration for Employment Convention (Revised), 1949 (No. 97), the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), the Employment Service Convention, 1948 (No. 88), and the ILO Private Employment Agencies (PEA) Convention, 1997 (No. 181).

85 ILO (2019d).



► **Box 3. Policies to promote full and productive employment and decent work for all**

Such policies include:

- 1) macroeconomic policies that have those aims as their central objective;
- (2) trade, industrial and sectoral policies that promote decent work, and enhance productivity;
- (3) investment in infrastructure and in strategic sectors to address the drivers of transformative change in the world of work;
- (4) policies and incentives that promote sustainable and inclusive economic growth, the creation and development of sustainable enterprises, innovation, and the transition from the informal to the formal economy, and that promote the alignment of business practices with the objectives of the ILO Centenary Declaration for the Future of Work; and
- (5) policies and measures that ensure appropriate privacy and personal data protection, and respond to challenges and opportunities in the world of work relating to the digital transformation of work, including platform work.

**Source:** ILO (2019b).

Law of the Republic of Uzbekistan No. 501 dd. October 16, 2018 “On Private Employment Agencies” did not sufficiently protect workers, thus rendering them vulnerable to abuse, exploitation, and forced labour. It did not forbid PEAs from charging, directly or indirectly, any fees or charges to workers as required by the ILO Private Employment Agencies Convention, 1997 (No. 181). Around the world, high recruitment costs borne by workers increase the risk of forced labour and debt bondage, particularly among migrant workers. Recruitments costs borne by employees as a proportion of monthly income earned in the country of destination was 22.2 per cent in 2018.<sup>86</sup> They ranged from 6 per cent for workers migrating to South Korea to 26.2 per cent for workers migrating to Russia. The law also did not provide for the effective regulation of PEAs. Areas to improve include obligating PEAs to protect workers notably through due diligence, penalties in case of violations, and details about suspension and revocation of licences. Law No. 632 of August 13, 2020 introduced amendments to Law No. 501. It notably prohibits charging individuals seeking jobs outside Uzbekistan for employment services and stipulates that such services are at the expense of the employer. Moreover, it specifies that individuals seeking jobs abroad are to receive written information about the prohibition to charge them for such services as well as well as postal addresses and contact details of the PEA and those of the Ministry to refer to in case of the PEA's failure to adequately perform its contractual obligations.

A review the MELR news page over two months reveals announcements regarding 10-day suspensions of PEA licences. No additional information is provided. In one case, the PEA had promised applicants employment in South Korea. The MELR has clarified that employment visas are issued by the South Korean Embassy in the Republic of Uzbekistan on the basis of the Memorandum of Understanding between the MELR of South Korea and the MELR of Uzbekistan on sending workers to South Korea under the employment pass system. It is administered by the Agency for External Labour Migration and the Human Resources Development Service of Korea. Moreover, where there is agreement between an

<sup>86</sup> SCS (2020).

Uzbek PEA and a Korean company, the PEA may provide job matching and employment services to job seekers in South Korea. Continually improving labour migration governance is necessary to promote fair migration and fair recruitment for women and men.

Uzbekistan needs to develop its approach to gender-equitable socioeconomic development through inclusive social dialogue. The reforms ongoing in Uzbekistan need to be strengthened to go successfully in that direction. Gender equality and women's empowerment challenge the male breadwinner bias. Concern about high financial debt among women has led the government to pay the mortgages of large numbers of women-headed households, thus countering the creditor bias. These concepts, however, are often taken to be social, not economic. A major challenge is with respect to strengthening the capacity of policymakers and decision-makers on gender-responsive macroeconomic policy. Interviews with key persons in the Ministry of Finance and the Central Bank have revealed interest in capacity development on gender-responsive macroeconomic policies. The challenge significant, particularly as there are no such courses in higher-education institutions in the country.<sup>87</sup>

The final evaluation of UNDP Project 'Support to Policy Research for Sustainable Development' has demonstrated the low participation of women in socioeconomic policy research. The report partially attributed it to gender-biased social norms and research skill gaps among women, and recommended developing the capacity of women researchers.<sup>88</sup> It is important to address these gaps for both practitioners and academics: via capacity development on gender-responsive macroeconomic policy for policymakers and practitioners, and also via training on feminist economics courses in academia. Useful resources: the UN Women's training manual on gender and economics,<sup>89</sup> ILO's resource guide on gender issues in employment and labour market policies,<sup>90</sup> UNDP's course on gender-responsive economic policy management,<sup>91</sup> and the course syllabus catalogue of the International Association for Feminist Economics.<sup>92</sup>

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87 Moreover, economists trained solely in the neoclassical tradition typically lack familiarity with the gender dimension of economic theory and economic policy.

88 Kamaletdinov (2019).

89 UN Women (2017).

90 ILO (2014).

91 UNDP (2012).

92 IAFFE (2020).

## ► Recommendations regarding employment and macroeconomic policies

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Conduct an assessment of macroeconomic policy with respect to its effects on decent work and gender equality, with expert support as necessary. Validate the findings and recommendations with relevant stakeholders and develop an action plan that could include the following:

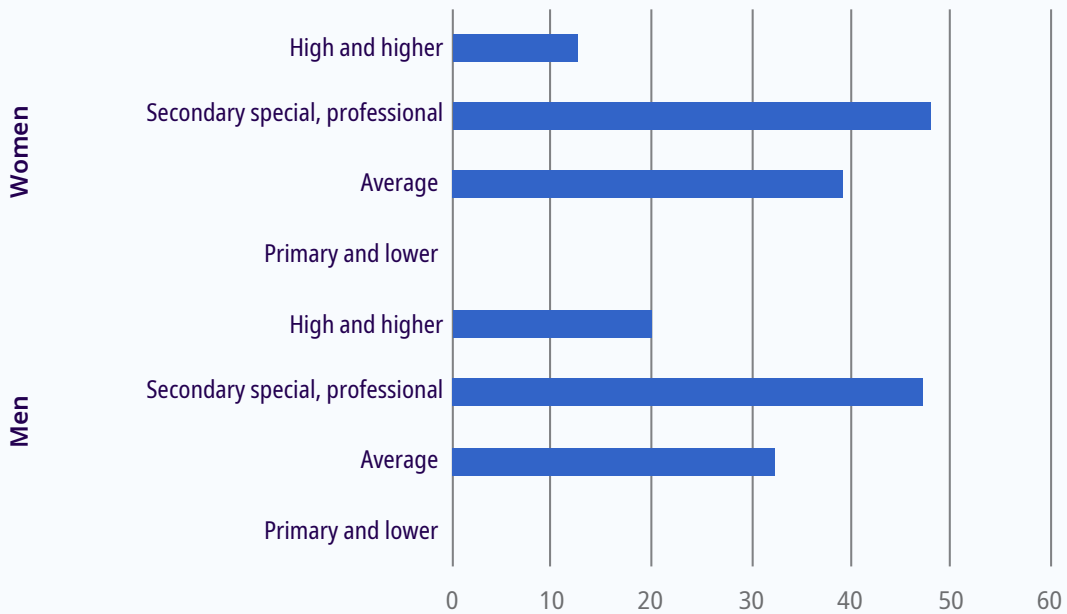
- Place full, productive, and freely chosen employment, decent work for all, and gender equality at the heart of macroeconomic policy, in line with the ILO Centenary Declaration for the Future of Work and the SDGs;
- Design and implement public policies for gender-equitable socioeconomic development through inclusive social dialogue that integrates women's voices and concerns;
- Introduce capacity development initiatives for policymakers and decision-makers on mainstreaming decent work and gender equality in macroeconomic policy;
- Monitor monetary, fiscal, incomes, and financial policies for their impact on decent work and gender equality and reorient the policies as necessary;
- Promote fair labour intermediation, including by revising the Law "On Private Employment Agencies" in line with the ILO general principles and operational guidelines for fair recruitment and consider the ratification of ILO Conventions No. 88 and No. 181;
- Promote fair migration and consider ratifying ILO Conventions No. 97 and No. 143 and the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families;
- In partnership with academic institutions, develop course materials and syllabi on feminist economics in disciplines such as economics, business administration, law, and public administration.

### 4.2.2 Education and training policy

The Constitution of Uzbekistan guarantees the right to education, provides for free secondary education and state supervision of schooling. The participation rate in organized learning one year before the official primary entry age has risen rapidly in recent years almost twice - from 21 per cent in 2013 and to 41 per cent in 2018. Nevertheless, 6 in 10 boys and girls were excluded in 2018. In 2017, the country achieved universal literacy rates and near universal primary education, with men achieving higher educational attainment than women. The proportion of men in high and higher education is 20 per cent, almost double that of women (Figure 9). Gross enrolment ratios were similar for women and men in secondary education (93 and 94 per cent respectively), whereas in higher education there was a great deal of variation (8 and 12 per cent respectively).<sup>93</sup>

► **Figure 9.**

Educational attainment of population aged 25+, by sex, 2017



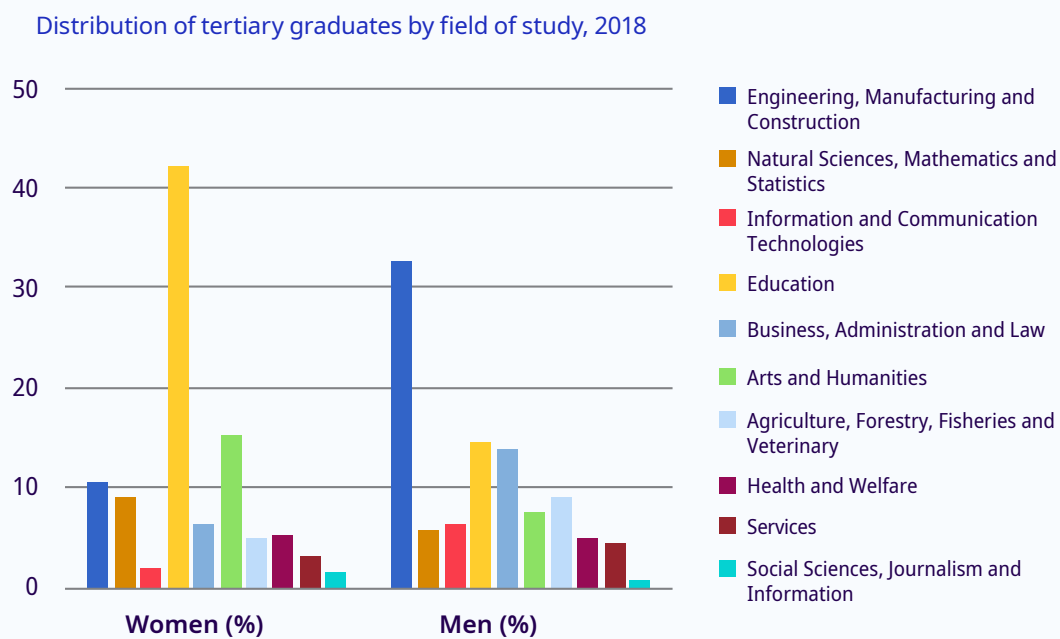
Source: Author, based on SCS (2020) data.

93 UNESCO (2020).

For women, higher levels of educational attainment are typically associated with better employment opportunities. In terms of access to employment, in 2018 the unemployment rate among women with secondary education was 14 per cent, whereas it was 4 per cent among women with tertiary education.<sup>94</sup> For men with secondary and high education the unemployment rate was around 5 per cent. The working poor with low earnings represented 5 per cent of employed women with secondary education and 3 per cent among employed women with tertiary education (compared with 7 per cent and 3 per cent respectively among men). In 2017, 23 per cent of youth aged 15 to 24 participated in technical and vocational programmes, with no significant differences between the quantity of women and men.<sup>95</sup>

There are significant gender differences regarding the areas study for specialties in higher education institutions. In 2018, 42 per cent of women tertiary graduates were in education, whereas 45 per cent of men tertiary graduates were in Science, Technology, Engineering, and Mathematics (STEM) fields (Figure 10).

► **Figure 10.**



Source: Author, based on UNESCO (2020) data.

In recognition of the importance of gender equality in education, several reforms have been underway to promote the development of the education and training for women and girls, including in fields where they are under-represented, notably STEM fields. The Government has established centres for vocational training providing services for unemployed workers.

94 L2CU (2018).

95 UNESCO (2020).

These centres offer short-term training to the unemployed in more than 20 occupations, mostly in services (hairdresser, cosmetologist, nail stylist, cook, confectioner, massage therapist, butler-waiter, medical attendant/nurse, seamstress, dress-designer etc.), with the training provided largely to women. In addition, these training centres offer women who completed training in these occupations an opportunity to attend a short course on business essentials to start their own business. According to the MELR, women account for 70 per cent of those referred to vocational training by the labour administration bodies in 2019 (30 thousand women out of 37 thousand persons) and the first 8 months of 2020 (13.5 thousand women out of 19 thousand persons). Measures have been taken to upgrade the system of vocational training, particularly for the poor and unemployed, notably through Welcome to Work centres.<sup>96</sup> Quotas have been introduced to that effect as temporary affirmative action measures. Moreover, in collaboration with UNESCO, work has started to improve the gender-responsiveness of curricula and textbooks. The President of the Republic of Uzbekistan has declared 2020 the year of science, education and digital economy, and the WCU plans to leverage this opportunity to strengthen the position of women and girls in those fields. Gender bias regarding women's occupations, however, will require significant effort to address. For example, the occupations singled out for training of women in the State Programme for the implementation of the Action Strategy for the five priority areas of development of the Republic of Uzbekistan in 2017-2021 in the Year of Science, Enlightenment and Digital Economy are sewing, cooking, and hairdressing. The programme seeks to increase the share of women with higher education. A more comprehensive approach to gender equality in education, particularly in STEM, would benefit from UNESCO guidance.<sup>97</sup>

Particular attention is paid to radical reform of the education system and the provision of continuing education. Thus, in 2019, three development concepts were adopted in the field of education until 2030 – the Concept of development of preschool, public education and higher education.

The Concept of development of the higher education system until 2030 pays special attention to gender aspects. In particular, further strengthening of guarantees of women's rights to higher education and ensuring the priority of gender equality principles in education are considered as important activities to implement the Concept. In order to systematically develop and improve the management activities of higher educational institutions, it is envisaged to strictly observe the principles of gender equality in appointments to leadership positions.

In order to further expand opportunities for women to receive higher education, the mechanism of additional quotas on the basis of additional state grants was put into practice in 2020. This mechanism has contributed to ensuring gender equality in the coverage of higher education. Today the share of women studying in higher education is 46 per cent.

The strengthening of coordination between education and training, employment, and migration policies deserves special attention. National institutions should be enabled to anticipate and shape future needs with respect to education, training, employment, and migration in a gender-responsive manner. ILO publications provide guidance in that regard.<sup>98</sup> The MELR facilitates allocation of grants to vocational education institutions from the State Employment Promotion Fund of the Republic of Uzbekistan. These grants finance the expenses for occupational retraining of unemployed citizens registered in Employment Promotion Centres, especially girls and women from poor families.<sup>99</sup> However, there is limited gender awareness among some workers within such centres, and the need for capacity development in that regard. One additional measure can be to designate gender focal points who would be tasked to raise awareness and gender proof/audit policies, activities and conduct of workers. The MELR is in the process of developing the public employment service with ILO support, in line with the ILO Convention, 1948 (No. 88).

96 Presidential Resolution No. 4804 of 11 August 2020.

97 UNESCO (2017).

98 Popova and Panzica (2017); ILO (2019c).

99 Annex No. 1 to Cabinet Resolution No. 1066 of 31 December 2018.

## ► Recommendations regarding education and training policy

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Develop an assessment system for policy coordination and policy coherence between education, training, employment, and migration policies in terms of their promotion of decent work and gender equality. Ongoing work on eliminating gender stereotypes in education should be integrated in that process to emphasize linkages with the world of work. Specific attention should be given to the study-to-work transition. The assessment should involve the MELR, relevant line ministries, social partners, education and training institutions, and the WCU. An action plan for gender equality in the study-to-work transition can be developed with timelines, benchmarks, targets, and indicators for purposes of regular monitoring. The action plan can include the following:

- Ensure coordination between education, training, employment, and migration policies on decent work and gender equality through joint committees of action consisting of the related national institutions
- Encourage measures for gender mainstreaming at all levels.
- At the individual level, measures can include strengthening linguistic, spatial, and number skills training in preschool and highlighting women role models with careers in STEM.
- At the family level, dialogue with parents can help rectify gender stereotypes.
- At the school level, relevant measures may involve teacher training on gender equality, integration of gender issues in the curriculum. Effective protection against gender-based violence and harassment is necessary. Increasing gender equality within education and training institutions can also contribute to changing gender socialization. Further work should be done to eliminate gender bias from learning materials. Moreover, STEM learning materials should be updated as needed. Gender-responsive career counselling activities and mentorship opportunities should be supported.
- At the societal level, ongoing legislative and institutional changes should be continued and their effectiveness should be monitored including targets, quotas, and financial incentives. Moreover, positive gender norms should be promoted through the media.

### 4.2.3 Entrepreneurship policy

The government promotes entrepreneurship, which helps to increase women's employment. Women's Entrepreneurship Centres (WECs) have been established with the status of a non-governmental non-profit organization (Non-profit NGO).<sup>100</sup> According to the WCU, such centres are operational in all districts of the country, with funding from the Public Target Fund for Women and Family Support. Each centre has three permanent staff, with priority given in recruitment to women with higher levels of education and professional experience. The centres provide business training for women.

Particular attention is paid to women with a higher level of education who have not worked for years, women entrepreneurs whose business has failed, and women with technical and vocational education and training. On 8 March 2020, the President of the Republic announced that in the past year around 28 thousand women had received business start-up assistance, training in crafts, professional retraining, and employment services from WECs and an additional 21.5 thousand women had participated in short-term vocational courses, with around 45 thousand women reached in total.<sup>101</sup>

Commercial banks also have special soft loans for women. The WCU, the Public Fund for Women and Family Support and the Joint-Stock Commercial Bank "Microcreditbank" signed in September 2018 a Memorandum to improve microcredit opportunities for women entrepreneurs. The 'Every family is an entrepreneur' programme is launched.<sup>102</sup> Less than 3 per cent of the population aged above 15 engaged in entrepreneurship in the previous year, a quarter of whom were women.<sup>103</sup> The State Programme for the implementation of the Action Strategy for the five priority areas of development of the Republic of Uzbekistan in 2017-2021 in the Year of Science, Enlightenment and Digital Economy refers to providing soft loans to small business projects of 5.5 thousand women for a total of 100 billion UZS.

Several challenges exist with respect to developing entrepreneurship among women, including economic risk bias and creditor bias, as already discussed. Whereas anybody can be an entrepreneur under the favourable conditions, not everybody can be a successful entrepreneur. During L2CU six in ten entrepreneurs considered that their business faced no constraints, one in ten mentioned competition, and one in ten emphasized difficulties obtaining credit, with little difference in the number of female and male respondents.<sup>104</sup> About a third of both women and men entrepreneurs tried to expand their business in the previous 12 months. On average these businesses employed five persons, usually three of the entrepreneur's gender and two of the other gender. The absence of identified constraints creates entrepreneurs' optimism, and probably even over-optimism, regarding the future of their business. Experience around the world demonstrates that most businesses fail within a few years of their establishment. In the United States, for example, a fifth of new businesses fails within a year of their establishment, two-fifths within three years, and a majority within six years.<sup>105</sup> According to the World Bank, "Uzbekistan has an acute problem of firm survival and jobs sustainability over time, as underscored by its low ratio of net to gross job creation (just 29 per cent on average between 2010 and 2016)."<sup>106</sup>

The longevity of enterprises is the exception, not the rule. Failure is often difficult to cope with, particularly when expectations of success are high. To decrease risk bias and creditor bias, when women's entrepreneurship is supported, collective forms of organizing should be encouraged, including the

100 Presidential Resolution No. 4235 of 7 March 2019.

101 MoFA (2020).

102 Presidential Resolution No. 3777 of 7 June 2018.

103 L2CU (2018).

104 L2CU (2018).

105 United States Bureau of Labour Statistics (2020).

106 World Bank (2018).



cooperative form. The system of subsidies have been introduced in Uzbekistan to promote agricultural cooperatives in fisheries, aviculture, rabbit breeding, beekeeping, gardening, vine growing, apparel business, crafts, and other sectors.<sup>107</sup> The total amount of subsidies is 42.1 billion UZS. There is official recognition that agricultural cooperatives can bring together unemployed persons, low-income families, repatriated migrant workers, as well as successful entrepreneurs experienced in cooperative business. This year saw the establishment of 407 cooperatives in 141 districts of the country, with 32 of them headed by women. The existing cooperatives employ 7,754 women (41.2 per cent). Ten women's cooperatives each employing nearly 500 women were established in apparel production and 296 in gardening employing 5 thousand women. But the term 'cooperatives' often has not a very good reputation for historical reasons and is associated in the public imagination with forms of state control over the economy. A cooperative, according to ILO Recommendation, 2002 No. 193 "Promotion of Cooperatives" is an "autonomous association of persons united voluntarily to meet their common economic, social and cultural needs and aspirations through a jointly owned and democratically controlled enterprise."<sup>108</sup> The cooperative form is particularly useful in organizing rural workers and workers in the informal economy, as illustrated in the experience of the Self-Employed Women's Association (SEWA) in India (**Box 4**). The MELR and the Ministry for Support of Mahallas and Families prepare the World Bank's project "Economic Empowerment of Rural Women in Uzbekistan" financed by a USD 2.7 million grant of the Japanese Social Development Fund. As part of the project, it is envisaged to promote a number of interventions to develop entrepreneurial and business skills of rural women, as well as to provide grants and subsidies to establish and support women's business collectives along the lines of India's SEWA.

The entrepreneurship literature considers three dimensions as critical to determining the degree of entrepreneurship: innovativeness, risk taking, and proactiveness.<sup>109</sup> The insights from a 1991 report remain current: the innovativeness dimension "refers to the seeking of creative, unusual, or novel solutions to problems and needs," and "is missing from the large number of small business start-ups that do little more than mimic existing establishments. Similarly, many so-called 'new' products and services are imitative replications of proven market successes."<sup>110</sup>

The notion of entrepreneurial intensity relates the degree of entrepreneurship to the frequency of entrepreneurship in terms of entrepreneurial events such as a new product, service, or process.<sup>111</sup> Entrepreneurship can take multiple forms in public sector institutions, cooperatives, non-governmental organizations, and households, in addition to for-profit institutions.

A study on successful innovations around the world has proposed the concept of the entrepreneurial state. In an entrepreneurial state, there is "a fully functioning national system of innovation," which is "catalysed by proactive, flexible, decentralised action on the part of government."<sup>112</sup>

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107 Presidential Resolution No. 4716 of 18 May 2020.

108 Paragraph 2.

109 Morris (2015).

110 Morris and Lewis (1991, p. 23).

111 Morris (2015).

112 Mazzucato (2011, p. 22).

► **Box 4. Women's self-organizing in the SEWA union and cooperatives in India**

The Self-Employed Women's Association (SEWA), founded in India in 1972, is a national union including 1.5 million women, all of them are workers in the informal economy. They include manual labourers, agricultural workers, farmers, construction workers, service providers such as cleaners and domestic workers, home-based workers including seamstresses, incense-stick makers and kite-makers, street vendors, and small producers, artisans. SEWA has always advocated an integrated approach for its members, recognizing that women workers in the informal economy need access to a range of services, known as the eleven points of SEWA's integrated approach: employment, income, nutritious food, health care, housing, assets, education, child care, organized strength, leadership, and self-reliance.

SEWA follows a dual strategy: while uniting low-income women in the informal economy of the national union, it has also developed women-owned cooperative enterprises to empower them. The union defends the rights and interests of its members against low wages, poor working conditions and the lack of social protection. As the central issue for its members is to ensure livelihood security, the union also encourages and supports them to form their own cooperatives. By helping them form cooperatives, the union supports its members towards attaining social protection as well as employment, income, and food security. Every woman worker who joins SEWA simultaneously becomes a member of the union, and many also go on to become members of specific cooperatives. The union is the central organization of primary identity for the women as SEWA workers and as members. A cooperative member either obtains her livelihood through the cooperative, and/or receives services from one or more cooperatives. A single woman may be a member of more than one cooperative, in addition to being a union member. For instance, a member of the childcare cooperative is also a member of the cooperative bank, the insurance cooperative, and the health cooperative. In 1992, all the cooperatives supported by SEWA were federated into a federation of cooperatives.

**Source:** ILO (2018c).

In Uzbekistan, enterprises with more than 10 workers are about twice as likely to employ women as smaller enterprises (with women representing 41 per cent and 22 per cent of employment respectively). Instead of developing women's access to wage employment, women's entrepreneurship has been prioritized, often in sectors that are similar to women's unpaid work, such as agriculture, cooking, cleaning, clothing making, handicraft, and care of persons, particularly children, trade. A major question to be addressed is whether the survivalist activities of women in informal self-employment should be referred to as entrepreneurship. A woman working on her own account in survivalist activities is, technically, the full owner of a business. That business, however, is typically informal. The enterprise is unincorporated, i.e. it is not a separate legal entity, and it is financially inseparable from the woman herself or more generally her household. The woman is likely to live in precarity without social protection. The WCU aims to strengthen financial and technical support for entrepreneurship initiatives in science, education, and digital economy, the theme of the year 2020 as declared by the President of the Republic. Additional measures should be taken to ensure that entrepreneurship promotion, particularly among women, does not exacerbate their precarity and fuel the growth of the informal economy.

## ► Recommendations regarding entrepreneurship policy

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Develop an assessment system for entrepreneurship policy in terms of innovativeness, distribution of risks and rewards, proactiveness, and promotion of decent work and gender equality. Such an assessment should be conducted through inclusive social dialogue and encompass the public, private, and social sectors. It can provide directions for developing an action plan that connects entrepreneurship to innovation and the transition from the informal to the formal economy. Relevant measures may include the following:

- Promoting women's entrepreneurship and innovation in high value-added sectors and occupations with high potential for future growth, including in the paid care economy, STEM fields, and green jobs
- Developing the capacities of key stakeholders responsible for entrepreneurship and innovation policies and programmes on gender equality concerns.
- Development and implementation of women entrepreneurship development training programmes that take into account a diversity of approaches to entrepreneurship including cooperatives and other social and solidarity economy enterprises
- Support of women business associations that are educating their members, advocating for them with policy makers
- Ensuring that women entrepreneurship development policies and programmes are developed through participatory methods that capture the aspirations, concerns, practices and experiences of women and their business associations
- Ensuring that promoting women's entrepreneurship does not fuel the growth of the informal economy, including in rural areas. Distinguish between entrepreneurs in the informal economy out of necessity and those in it out of choice. Support the upgrading of informal enterprises. Measures may include reducing vulnerability by extending social protection coverage to all. Informal enterprises can be promoted to improve job quality, access to markets and services.

## ► 5. Working conditions

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This section addresses questions of terms and conditions of work. The previous section discussed the quantity of jobs, this one discusses their quality.

### 5.1 Working conditions

The lack of adequate employment opportunities leads to informal employment, unpaid work, unemployment, discouragement, and migration for employment for both women and men.

#### 5.1.1 Employment in the informal economy

According to official statistics, between 2017 and 2018, employment in the informal economy shed 1.5 million persons, with employment in the formal economy growing by only 0.2 million persons.<sup>113</sup> More than a million persons left the country for employment abroad and 0.5 million citizens joined the ranks of the unemployed. In 2018, the majority of employment in Uzbekistan was in the informal economy, as 49,4 per cent of employment was outside the formal sector.<sup>114</sup> Official statistics tend to overestimate the size of both formal and informal employment, and do not report sex-disaggregated statistics. The operational definitions of employment in the formal and informal economies should be revisited. The size of employment in the formal economy is overestimated in official statistics. It is reported as including employment outside formal enterprises. According to international standards, employers are informal if their enterprise is informal. Informal wage employment in the formal sector should be counted in the informal economy.

Informal wage employment in the formal sector exists when the employment relationship is, “in law or in practice, not subject to national labour legislation, income taxation, social protection or entitlement to certain employment benefits (advance notice of dismissal, severance pay, paid annual or sick leave, etc.).<sup>115</sup> In Uzbekistan, lack of employment benefits such as social protection, paid annual and sick leave has not been used as criterion in the measurement of informal wage employment. In 2018, 32 per cent of employees of the total workforce were not covered by social security (20 per cent for women, 38 per cent for men). The gender difference largely reflects women’s overrepresentation in the public sector. In the public sector, the social security system does not cover 2 per cent of employees. In the private sector, the rate was 70 per cent (of which 61 per cent are women and 73 per cent are men). Larger enterprises have higher social security coverage for their employees. In private enterprises with fewer than 5 workers, 86 per cent of employees lacked social security (80 per cent for women, 87 per cent for men). In larger private enterprises, 46 per cent of employees lacked social security (of which 43 per cent are women and 47 per cent are men).<sup>116</sup>

In 2019, the Government introduced temporary work permit passes for Uzbekistani own-account workers, including those employed abroad, and for their registration in the unified national labour system.<sup>117</sup> The registered workers got the right to record their length of service and enjoy incentive benefits through pension coverage, and possibilities of preferential microcredit and free short-term

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113 SCS (2020).

114 MERL.

115 ICLS Guidelines concerning a statistical definition of informal employment of 2003.

116 Computations based on L2CU (2018).

117 Cabinet Resolution No. 566 of 9 July 2019.

training. 60 per cent of the proceeds from for charging fees for the issuance of work permit passes were allocated to the Extrabudgetary Pension Fund under the Ministry of Finance against the payment of the single social payment by a self-employed citizen, 20 per cent – to the State Fund for Employment Promotion, and 20 per cent – to the budgets of districts. The main occupations of self-employed citizens include care for the sick and the elderly, housework, furniture repair, plumbing and electrical work, car repair and washing, and tutoring. In the first half of 2019, a fifth of own-account workers had a work permit pass.<sup>118</sup> A total of 39,119 work permit passes were issued from September to December 2019 (51 per cent to women), and 35,529 passes from January to June 2020 (52 per cent to women).

The system provided valuable benefits for those registered in it, access to pension, but it has its limitations. Workers with work permit passes lost entitlement to unemployment benefits and vocational training from the State Fund for Employment Promotion. Their contracts were covered by contract law rather than the Labour Code, and workers could not engage in occupations not specified in their work permit pass. Charging fees for the issuance of work permit passes implied that the poor were less likely to benefit from it, which could increase inequality in pension coverage at the lower end of the income distribution. Moreover, most of the covered occupations fell under the category of elementary occupations as per ISCO 2008, including childcare, elderly care, and housework. Such occupations are likely to be undertaken by informal workers of the most vulnerable categories. Self-employed workers targeted by the scheme, including among women, likely would better be described as dependent contractors than independent workers. According to the ICLS materials, a major criterion is whether they depend on their clients for the organization and execution of the work, income, or for access to the market. Since women tend to change work more than men, it is likely that a license system would be disadvantageous to women. If they perform work that would otherwise be performed by employees, then the system may become a means to circumvent labour legislation. The issue needs to be investigated based on the experience to date in a gender responsive manner and the system should be revised to ensure it is not misused to disguise employment relationships.

Taking into account these disadvantages of the system, the Government abolished the procedure to issue temporary work permit passes in June 2020.<sup>119</sup> Currently self-employed workers can register as such by sending a notice via a dedicated mobile app or taxpayer online account, with a QR code issued to confirm registration. The list of types of own-account activities grew almost three-fold, from 24 to 67 per cent to cover more jobs across skill levels. As the MELR notes, the list includes activities popular among women, from traditional crafts to modelling, software development, multimedia design, translation services, social media activities, human resource activities, and online consulting. To minimize the ability to circumvent the labour law, the condition remains that own-account workers can neither hire employees nor have an employer. Moreover, the revised system seeks to ensure that own-account workers can change activities from within the list without any complications or obstacles for further employment. Own-account workers can switch from one activity to another by applying to the State Tax Committee. In 2020, own-account workers will pay a ‘social tax’ of at least 50 per cent of the reference calculation value irrespective of the time worked in this capacity, with the amount credited in full to the Extrabudgetary Pension Fund and used to determine earnings for calculating pensions in the manner established for private entrepreneurs.

The employed in the informal economy, according to official statistics, encompass casual and seasonal workers, the self-employed in household market enterprises, own-account workers operating “without registration and proper authorization,”<sup>120</sup> farmers, and farm workers. Also included are those who have

118 SCS (2020).

119 Presidential Resolution No. 4742 of 8 June 2020.

120 Authorization is a problematic term as it reflects an authoritarian approach to the question of the informal economy, suggesting that work is not a human right but a privilege that is conditional on authorization or would otherwise be illicit. The term ‘authorization’ does not appear in Cabinet Decision No. 566 of 9 July 2019. Furthermore, Presidential Resolution No. 4742 abolished the procedure to issue temporary employment certificates in favour of a registration process.

left the country to work abroad. According to international standards, the employed abroad should not count as part of the employed population in their country of origin; instead, the foreign population employed in the country should feature in the measurement of employment. In 2018, the largest groups of workers outside the formal sector were casual and seasonal workers (15 per cent of total employment), own-account workers without a certificate (12 per cent), and farm workers (14 per cent). Domestic workers employed by households were not reported in official statistics.

### 5.1.2 Particular categories of workers

The paucity of data makes it difficult to assess working conditions for specific categories of workers. Issues of interest include working time, work-life balance, stability and security of work, and safe work environment, and gender differences in them. There is a need to better track the quality of jobs empirically, as well as to bring the question of quality of jobs to the forefront when discussing the status of women and work. The two economic sectors for which more data is available regarding working conditions are construction, in which working women are a minority, and industry. As of January 1, 2019, the proportion of those employed working under unfavorable working conditions in the total number of employees in the type of activity "Construction" (excluding small businesses) among women was 10.0 per cent and among men 16.3 per cent. In industry, these figures were 16.4 per cent and 29.7 per cent, respectively. Women typically had fewer occupational accidents than men.

With respect to type of contract, in 2018 about two-thirds of employed women and about half of employed men had a permanent official contract.<sup>121</sup> Young women and men aged 15 to 24 were less likely to have a permanent contract than other workers, signalling challenges in the study-to-work transition. The quest for good jobs partially explains why the public sector is the major employer of women. In 2018, 68 per cent of women's wage employment was in the public sector, compared to 48 per cent of men's wage employment.<sup>122</sup> Women represented about 2 in 10 private sector employees, compared to 4 in 10 public sector employees (**Figure 11**). The increased role of the private sector is likely to lead to negative gender repercussions if the private sector is not made more responsive to gender concerns.

Prevailing gender norms assign family responsibilities to women. The home appears as the main site for women's work, whether paid or unpaid. Whereas "some local women desire and struggle to have a right to work and equal political recognition and participation, others want to be liberated from wage labour and direct engagement with a state, to fully enjoy their wifehood and motherhood."<sup>123</sup> In 2017, seven in ten women in Uzbekistan preferred to have a job in their home country (four in ten) or outside.<sup>124</sup> Meanwhile, eight in ten men preferred the women in their family to stay at home, whether with a job (three in ten) or not. About a third of men and a quarter of women considered it unacceptable for any woman in their family to have a job outside the home if she wishes. There is increasing recognition that paid work and family responsibilities should not be mutually exclusive, and that unpaid work should not be exclusive to women. There is a need, however, to address gender stereotypes, including regarding care responsibilities, paid work opportunities, and physical mobility. Conceptually, it is important to distinguish between paid and unpaid work, self-employment and wage-employment, and work for own household or other households. Unpaid care work includes housework and care of persons. The SCS identifies citizens dedicated to unpaid care work as performing household duties or caring for children and other family members. Uzbekistan has about 3.94 million persons dedicated to unpaid care work (of which 92 per cent are women).<sup>125</sup>

121 L2CU (2018).

122 L2CU (2018).

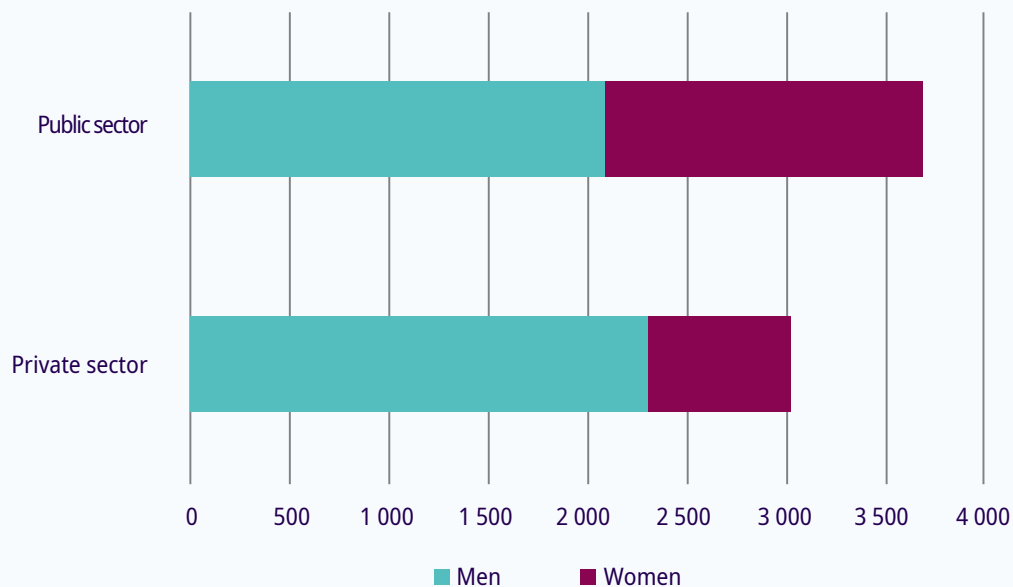
123 Ibid.

124 Gallup and ILO (2017).

125 L2CU (2018).

► **Figure 11.**

Wage employment in the public and private sectors by sex (thousands), 2018



Source: Author, based on L2CU (2018) data.

Domestic workers work in or for a household or households within an employment relationship on an occupational basis, according to ILO Domestic Workers Convention, 2011 “On dignified work of domestic workers” (No. 189). Domestic workers are a category of workers that have received insufficient attention in public policy. They are predominantly women who work in precarious conditions in the informal economy. Uzbekistan has not yet ratified this convention although its ratification was planned as part of the national action plan on gender equality of 2014–2016.<sup>126</sup> Domestic workers are not included in official statistics. The SCS metadata on employment does not refer to them in its definition of the employed population. At the ICLS of 2018,<sup>127</sup> proposals were made for the statistical definition and measurement of domestic workers number, which the SCS can benefit from. From the cases reported in human trafficking reports,<sup>128</sup> however, it can be inferred that there are large numbers of Uzbekistani women domestic workers, including among migrant workers, who are vulnerable to abuse and exploitation. With respect to ensuring decent work for domestic workers, the WCU has noted the need for capacity development in this area.<sup>129</sup>

125 L2CU (2018).

126 ADB (2018).

127 ILO (2018b).

128 United States Department of State (2019).

129 Tayah (2016).

Home-based self-employed workers include own-account workers (without employees), employers (with employees), and contributing family workers (who work for the family business). About 57 per cent of women entrepreneurs operated from home in 2018, compared with 40 per cent of men entrepreneurs.<sup>130</sup>

Home workers work in their home or in other premises of their choice, other than the workplace of the employer, for remuneration, and their work results in a product or service as specified by the employer, irrespective of who provides the equipment and materials; their protection is provided in the ILO Home Work Convention, 1996 (No. 177). In addition to family responsibilities, women may opt to be employed from home because it is “difficult for women to gain employment outside the household without being harassed or abused.”<sup>131</sup> To facilitate the sale of products of home workers and the home-based self-employed who lack mobility, entrepreneurship opportunities exist, notably in relation to delivery services. The Government is studying the possibility of integrating ILO Convention No. 177 in national legislation.<sup>132</sup>

The concerns of specific categories of workers, including agricultural workers, rural workers, homeworkers, street vendors, domestic workers, waste pickers, migrant workers, and workers with disability need to be addressed. Such workers are often in the informal economy. Their rights and needs are not addressed, in part because they are not represented in the official statistics. Enabling workers in the informal economy to organize should thus be a priority. The notion of informal economy is important here, along with the need to better measure it and bring the transition to the formal economy from a decent work perspective in policy discussions (**Box 5**). A prominent example is in relation to promoting women’s entrepreneurship, as already discussed, to avoid individualizing responsibility for employment and income generation among women, which can increase social expectations as well as psychological pressure and emotional distress for women.

Agricultural workers are typically in the informal economy, lacking social protection and not contributing to social insurance. According to a FAO report,<sup>133</sup> household farms are mainly headed by men, at least de jure. Women household farm workers “do not receive protection under labour law in terms of sick pay, maternity or childcare leave.” Because “a very small number of women are heads of household, they are unlikely to be the formal heads of dehkan farms.” Moreover, even for household heads, women’s share may be rising as men migrate, dehkan farming is “part-commercial and part-subsistence.”<sup>134</sup> A recent official report notes that smallholder farmers cannot export their products because they find the certificates that confirm the originality of plants and seeds too costly, and that they cannot afford independent necessary hydraulic engineering works, which “can only be done by mobilizing smallholder/dehkan farmers into cooperatives.”<sup>135</sup> Seasonal, irregular, and temporary employment represent a third of men’s employment and a fifth of women’s employment and are more prevalent in rural areas than in urban areas.<sup>136</sup> Despite decent work deficits, notably “issues with full and fair payment for the picked cotton, for seasonal cotton pickers, mainly local females, the cotton harvest time represents one of the few opportunities to earn cash income,” with women representing about two-thirds of the total number of cotton pickers.<sup>137</sup> Discussions regarding agricultural and land reform should help resolving the issues of working conditions of agricultural workers.

130 L2CU (2018).

131 Kurbanova (2010, p. 85).

132 Presidential Resolution No. 3001 of 24 May 2017.

133 FAO (2019).

134 FAO (2019, pp. xiii; 28)

135 MoA and UZAIFFSA (2019, p. 30).

136 L2CU (2018).

137 Westminster International University in Tashkent (2018).



**► Box 5. Policies to support transition to formality**

Policies to support transition from the informal to the formal economy may notably include:

- (1) Generating an adequate quantity of quality jobs;
- (2) Improving the regulatory framework;
- (3) Setting a social floor for all who work;
- (4) Inclusion of articles on the rights of the unprotected in legislation;
- (5) Effectively recognizing employment relationships in their diversity;
- (6) Ensuring protection for specific categories of workers, including domestic workers, home workers, street vendors, and workers in SMEs;
- (7) Transforming undeclared work into regulated work;
- (8) Improving labour administration and labour inspection;
- (9) Promoting organization, representation, and dialogue for workers and employers in the informal economy, with an important role for employers' organizations and small business associations, trade unions, and cooperatives;
- (10) Promoting equality and addressing discrimination, including for women workers, migrant workers, workers with disability;
- (11) Encouraging formalization and upgrading of informal enterprises, enhancing skills and employability, and targeting microfinance to support moving out of informality;
- (12) Extending social protection and social security coverage to the informal economy, overcoming discrimination and economic exclusion in relation to HIV/AIDS, extending maternity protection to the informal economy, and ensuring adequate childcare provision;
- (13) Promoting integrated local development strategies for moving out of informality.

**Source:** ILO (2013b).

Rural workers also typically have important challenges in terms of terms and conditions of employment. With respect to domestic workers, very little data exists for this category of the working population, yet key informant interviews suggest that the number of domestic workers is on the increase and they remain largely unprotected. A recent WCU pilot project to introduce 'vacancy fairs' seeks to offer a safe and warm physical space for women day workers, including domestic workers, to be matched with prospective employers. The initiative aims to increase their protection by keeping track of data on workers, employers, and type and place of work. Little information exists regarding the terms and conditions of migrant workers, yet available evidence signals the increase of labour migration, both inward and outward. The risk is that promoting employment generation without looking at the quality of jobs is that women's employment will be increasingly in the informal economy and in dangerous

working conditions, thereby potentially increasing women's vulnerability. If such a trend persists, women and their families may associate women's employment with negative outcomes and increasingly resist women's employment and favour arrangements that favour men's employment.

The Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204) provides important guidance on how to facilitate the transition from a gender-responsive perspective. Uzbekistan can also learn from the experience of other countries with respect to the transition from the informal to the formal economy, with special attention to women workers.<sup>138</sup>

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138 Women in Informal Employment: Globalizing and Organizing (WIEGO) is a major network in that regard. It includes membership-based organizations of informal workers such as trade unions, cooperatives, and worker associations, researchers and statisticians on the informal economy, and practitioners from development agencies who address informal economy issues.

## ► Recommendations regarding working conditions

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Place employment in the informal economy and gender equality on the policy agenda. Design and implement a coherent and integrated strategy to facilitate the transition to the formal economy, in line with Recommendation No. 204. The strategy should have proper assessment and diagnostics of factors, characteristics, causes and circumstances of informality. It should be developed through tripartite social dialogue that is inclusive of women and men in the informal economy. Relevant measures may include the following:

- Assess the impact of recent and planned reforms on the size and nature of the informal economy in all economic sectors and geographic localities
- Ensure that all categories of workers enjoy effective legal and social protection. Give specific attention to the needs of specific categories of women workers, including agricultural workers, rural workers, street vendors, domestic workers, migrant workers, and workers with disability. Develop materials for journalists and other media personnel on overcoming gender and other stereotypes in relation to the various categories of workers.
- Assess the introduction of temporary employment certificates for own-account workers with respect to its impact on decent work and gender equality.
- Enable workers in the informal economy to collectively organize themselves in trade unions and other membership-based organizations such as cooperatives
- Ensure that the new Labour Code is consistent with the provisions of ILO Conventions No. 177 and No. 189 and consider the ratification of the conventions.

## 5.2 Equality of opportunity and treatment

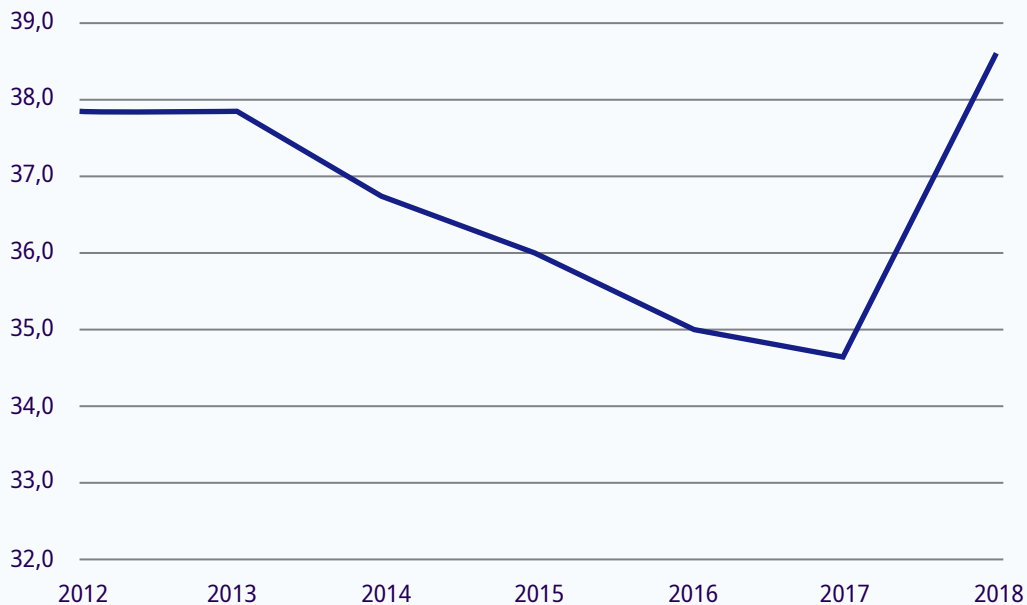
A major issue is the question of ensuring equality of opportunity and treatment in employment and occupation, in line with international labour standards. In 2017, only four in ten persons in Uzbekistan considered that in the city or area where they live, if a woman has similar education and experience to a man then she has the same opportunity to find a good job.<sup>139</sup>

### 5.2.1 Equal remuneration

Uzbekistan ratified the ILO Equal Remuneration Convention, 1951 (No. 100) in 1992. Yet women are paid less than men, and jobs associated with women are undervalued and underpaid. Despite progress made until 2017, the overall gender pay gap rose to 38.6 per cent in 2018, compared with 34.6 per cent in 2017 (**Figure 12**). Publicly available information regarding the gender pay gap in specific occupations and sectors of economic activity is limited, however. SCS statistics on wages are not sex disaggregated. They also exclude agricultural employment, which include more than a quarter of women and men and typically lower wages.

► **Figure 12.**

Evolution of the officially reported gender pay gap in Uzbekistan



Source: Author, based on SCS (2020) data.

139 Gallup and ILO (2017).

Jobs associated with women are undervalued and underpaid (**Figure 13**). Outside agriculture, for which wage data are not reported, the two sectors in which the majority employed persons are women are also the sectors with the lowest wages: education and human health and social sectors. The two sectors with the highest wages, namely the information and communication and financial and insurance sectors, are sectors where women's share of employment is lower than average. Such patterns are indicators of gender bias in the evaluation of jobs, even in the absence of detailed information at the level of occupations. Existing legislation falls short of guaranteeing equal pay for work of equal value, as it refers to equal pay for equal work and qualifications.<sup>140</sup> Gender bias in pay cannot be addressed by ensuring equal pay for equal work, since women and men typically engage in different jobs, with women concentrated in lower-paid ones. Even if men were paid equally to women in such jobs, the work would still be underpaid because of their association with women.

There are different ways to evaluate jobs in an objective manner that is free from gender bias, notably through objective evaluation methods that are "concerned with the content of the job, not with the skills and characteristics of those performing the job, nor with their performance."<sup>141</sup> Experience from various countries reveals that women are typically paid less than men because of undervaluation of the skills, physical and emotional demands, responsibility, and working conditions associated with their work. An earlier version of the draft Labour Code fell short of guaranteeing equal pay for work of equal value. Addressing the gender bias in the evaluation of jobs is not only the responsibility of individual employers, as the draft labour code suggests, but also a social responsibility. The principle of equal pay for work of equal value thus needs to be enshrined in law and respected in practice across occupations and economic sectors. The MELR reports that the amended draft Labour Code includes a paragraph on the guarantee of equal pay for work of equal value. The draft Labour Code is now to pass the first reading at the Legislative Chamber of the Republic of Uzbekistan's Oliy Majlis.

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140 Law No. 562 of 2 September 2019.

141 ILO (2009); Oelz et al. (2013, p. 39).

## ► Recommendations regarding equal remuneration

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Through inclusive social dialogue, formulate and implement a national equality policy to promote equality of opportunity and treatment without discrimination. Relevant measures may include the following:

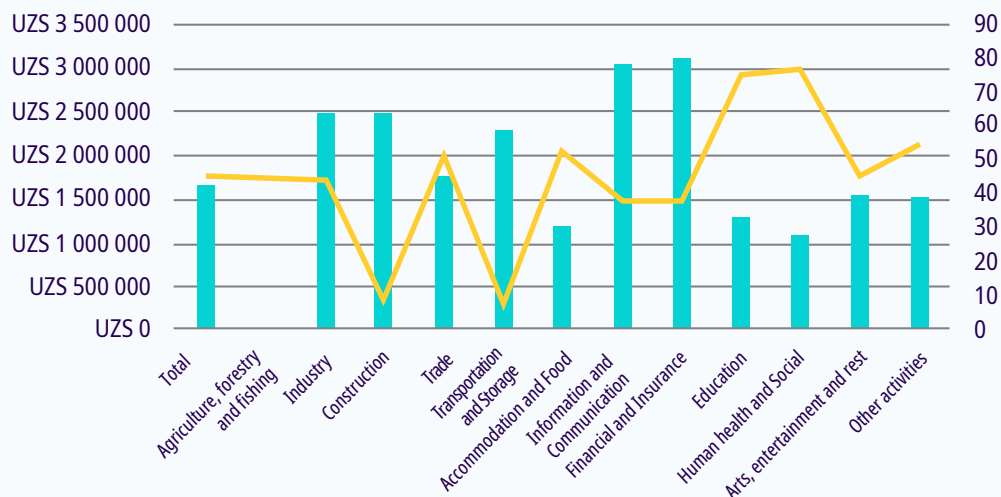
- Uphold the principle of equal pay for work of equal value as a general principle in the new Labour Code.
- Monitoring and enforcement of pay equity requires pay data disaggregated by sex, occupation, and sectors, as well as strengthened role for labour inspectors in identifying and addressing discrimination in pay. Measures need to be introduced at various levels (national, sectoral, enterprise...) through social dialogue to ensure that job evaluation and pay determination are free from gender bias, in line with ILO guidance.
- Consider joining and encouraging workers' and employers' organizations to join the Equal Pay International Coalition (EPIC),<sup>142</sup> to learn methods from other countries how to address the gender pay gap, including in the informal economy.

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142 <https://www.equalpayinternationalcoalition.org/>

► **Figure 13.**

Average wages and women's share (%) of employment by economic sectors, 2018



Source: Author, based on SCS (2020).

### 5.2.2 Discrimination in employment and occupation

Uzbekistan ratified ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111) in 1992. Yet the prevailing rationale for national frameworks addressing women's issues has been ambivalent sexism, with growing efforts to transform them towards gender equality.<sup>143</sup> In the key informant interviews, indications of tensions include jokes about how men will soon be calling for gender equality) and expressions of admiration for women as models of virtue and devotion to the family).

The gender bias in the mindset remains even in more recent texts such as the draft Labour Code. For instance, legislation refers to working with women to prevent divorces, without any reference to such work with men, which risks completely closing off women who are in abusive relationships from the outside world.<sup>144</sup> According to the Government, in the first half of 2017, "thanks to action by the Women's Committee and the Mahalla Foundation, it was possible to avoid 12,000 divorces and resolve the alimony payment problems of 10,000 citizens."<sup>145</sup> Yet according to UN Women, the "liberalization of divorce laws in some developed countries has led to lower rates of suicide by women, lower incidence of reported domestic violence and fewer instances of women being murdered by their spouses," although divorces

143 Ambivalent sexism has two sides: hostile sexism, which sees women as "seeking to usurp men's power in various ways, via their sexuality, by claiming discrimination, or through feminist activism," and benevolent sexism, which "romanticizes heterosexual relationships and regards women as the perfect complement to men, but it also depicts women as weak and in need of male protection, thus emphasizing women's lower status" (Connor et al., 2017, p. 296).

144 Presidential Decree No. 5325 of 2 February 2018.

145 HRC (2019, paragraph 109).

typically entail “far more adverse economic consequences for women than for men.”<sup>146</sup> The bias also exists with respect to persons with disabilities, who are often lumped together with children and women as the most vulnerable and in need of protection. Despite the introduction of measures such as a 2 per cent quota in admission to higher education institutions and 3 per cent quota in employment for persons with disability, rights groups have noted deficits in implementation. Moreover, concern has been raised about double discrimination for women with disability, the erroneous association of disability with unemployability, and the widespread adoption of a medical model of disability instead of a social model that addresses societal barriers towards a more inclusive society.

The recently passed law combats such gender bias.<sup>147</sup> It notably guarantees equal rights and opportunities for women and men in the field of family relations and child rearing, including in marriage, unpaid domestic and care work, and the right to parental leave.<sup>148</sup> The procedure for conducting gender legal examination of normative legal acts and their drafts approved by Cabinet Resolution No. 192 dd. March 30, 2020 is a concrete step in the direction of moving towards gender equality in legislation and policy. It is grounded in human rights and gender quality and addresses both direct and indirect gender discrimination.

The list of jobs with adverse working conditions, in which women's labour is prohibited, and the maximum allowable loads for women when lifting and moving weights are established by the Ministry of Employment and Labour Relations and the Ministry of Health of the Republic of Uzbekistan in consultation with the Federation of Trade Unions of Uzbekistan and representatives of employers.<sup>149</sup> The possibility of prohibiting women from specific jobs, which remains in the draft labour code, can increase discrimination against women in employment. In contrast, measures that are specific to the protection of maternity, for example regarding reduced or uncomplete working hours, are consistent with Convention No. 111. Women may face discrimination under multiple grounds prohibited in the Convention. For example, women-representatives of national and ethnic minorities, particularly Lyuli/Roma women, as well as Muslim women who wear the hijab, often face multiple discrimination. This has been emphasized by the CEACR, which has noted the lack of information regarding discrimination on multiple grounds. As the MELR reports, over the last few years, considerable efforts were made to protect the rights, liberties, and legitimate interests of Lyuli/Roma children. Currently 1,800 Lyuli/Roma children currently benefit from social assistance (more than 1,200 in 2018 and 1,400 in 2019). Over 2,000 Lyuli/Roma children received passports in 2018, 2,100 in 2019, and 1,900 over the past period of this year. In 2018, 159 Lyuli/Roma people were placed on the job (209 in 2019 and 262 this year). Moreover, 13 low-income families with children were provided with housing in 2018 (146 in 2019 and 5 over five months of this year). On November 15, 2019, a Presidential Decree “On the Public Policy Framework for inter-ethnic relations” was adopted. The National Strategy on Human Rights of June 22, 2020 envisages the development of a draft law on equality and non-discrimination.<sup>150</sup> On September 15, 2020, the Legislative Chamber of Uzbekistan adopted in the first reading the draft law “On Amending the Law on the Freedom of Conscience and Religious Organizations” which abolishes, in particular, the prohibition on movement of individuals in religious dress in public places.

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146 UN Women (2019, pp. 16-17).

147 Law No. 562 of 2 September 2019.

148 Article 24.

149 Article 225.

150 Presidential Decree No. 6012 of 22 June 2020.



Applying the principle of equality of opportunity and treatment can contribute to decreasing the vertical and horizontal gender segregation that follows from gender discrimination. It does not imply, however, that working women and men necessarily need to be distributed equally across occupations and economic sectors. Addressing horizontal gender segregation requires combating gender stereotypes in education and employment, improving the quality of jobs in sectors where working women are over-represented, and making sectors where women are under-represented to sectors, where there are more opportunities to increase the number of working women. Vertical segregation requires overcoming barriers in access to, and retention of, employment as well as training and promotion. Making ownership, control, and access of resources more equal between women and men can be key in that regard. A focus on access to credit is insufficient, since as discussed above, it may increase financial indebtedness among women.

## ► Recommendations regarding discrimination in employment and occupation

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As part of a national equality policy to promote equality of opportunity and treatment without discrimination, relevant measures may include but are not limited to:

- Uphold in the new Labour Code the principle of non-discrimination in employment and occupation, including in access to vocational training, access to employment and to particular occupations;
- Ensure that any restrictions to women's employment are specific to pregnant and nursing women that are justified for maternity protection, unless risk assessments demonstrate that there are risks specific to women's health or safety that need to be addressed. Such restrictions, if any, must be justified and based on scientific evidence and, when in place, be periodically reviewed in the light of technological developments and scientific progress to determine whether they remain necessary;
- Undertake a participatory inclusive stakeholder assessment of gender inequalities in ownership, control, and access to resources and take measures to address them in law and practice.

### 5.2.3 Workers with family responsibilities

Uzbekistan's roadmap for implementation of its Decent Work Country Programme in 2019–2020 includes ratification of the ILO Workers with Family Responsibilities Convention, 1981 (No. 156). Family responsibilities, including care for children and the elderly, are often assumed to be the responsibility of women, which disadvantages them in the world of work. In 2006, the latest year with data available on time use, economically active women spent about four hours on unpaid care work daily (four hours for housework and one hour for care of persons), compared with one hour for men.<sup>151</sup> The unpaid care work is considered as part of free time and did not compare it to time spent on paid work.

The Labour Code assumes that family responsibilities fall primarily on women. For example, it provides guarantees and benefits for those raising children without mothers,<sup>152</sup> rather than safeguarding them for all workers with family responsibilities. It provides for parental leave, but phrases it as an extension of maternity leave, which may be used in full or in part by the child's father, grandmother, grandfather, or other relatives who are caring for the child. The Code grants mothers the right to parental leave at their request until the child reaches the age of two with benefits, as well as additional unpaid leave until the child reaches the age of three. Moreover, the parents may, at their discretion, work part-time or at home during the period of childcare leave or in agreement with the employer, in which case their pension rights are preserved. During parental leave, the worker's position is maintained, and the period is added to the length of service but not more than three years in total. Women with two or more children under the age of twelve or a disabled child under the age of sixteen are entitled to additional paid leave of no less than three working days per year, and additional unpaid leave of no less than fourteen calendar days per year. Other workers with family responsibilities do not have such entitlements.

ILO Convention No. 156 proclaims the need for genuine equality of opportunity and treatment of men and women workers with family responsibilities. The Convention takes into account the experience gained from the application of the now-replaced Employment (Women with Family Responsibilities) Recommendation, 1965 (No. 123), which demonstrates that measures that are specific to women with family responsibilities can have an unintended effect of disadvantaging women. For example, a measure to ensure that any enterprise employing more than a certain number of women must provide childcare facilities can provide an incentive for employers not to reach the threshold either by hiring fewer women or by employing women informally. The CEACR specifies sections of Chapter IV of the current Labour Code, which contain measures applying to persons with family responsibilities only available to women workers,<sup>153</sup> and to fathers only in exceptional circumstances for example, where the mother has died, deprived of parental rights or is hospitalized long-term.<sup>154</sup> Such text reflects the male breadwinner bias. But many key informants referred to measures applying to workers with family responsibilities as the maternity protection activity.

The gender bias theme in legislation regarding child care and household responsibilities is becoming more and more relevant. Law of the Republic of Uzbekistan No. 562 "On Guarantees of Equal Rights and Opportunities for Women and Men" dd. September 2, 2019 notably refers to gender equality in housework as well as the right of the both parents to a parental leave. It stipulates that housework cannot be a basis for direct or indirect gender discrimination and is to be performed equally by women and men. The ratification of ILO Convention No. 156 is under consideration.<sup>155</sup> The draft Labour Code in accordance with ILO Convention No. 156 offers protection for both men and women workers with family responsibilities.

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151 SCS (2007).

152 Article 238.

153 Articles 228, 228(1), 229, and 232.

154 Article 238.

155 Presidential Resolution No. 3001 of 24 May 2017.

A major challenge for workers with family responsibilities is the lack of accessible, affordable, quality care services. Recognition of lack of early childcare services as an obstacle to women's employment has led to significant investment in that regard. With respect to childcare, significant progress has been made in Uzbekistan in recent years in terms of increasing access to pre-school education, with about a quarter of children aged 3–6 years in pre-school establishments in 2017, compared with less than a fifth in 2010.

According to the President of the Republic, by 8 March 2020 there are 14,500 kindergartens in the country, compared with 9,700 a year before. The coverage of children in preschool education was expected to rise from 54 per cent in March 2020 to 60 per cent, the total number of kindergarten attendees will be 1.8 million children.<sup>156</sup> Less attention has been given to the issue of elderly care, due to the stereotype that elderly care is the responsibility of the women of the family, as per key informant interviews. In 2018, one in four employed women was in part-time employment, compared to one in five employed men.<sup>157</sup> Part-time employment was more prevalent in rural areas, reaching a quarter of employed men and a third of employed women. Ultimately, improving opportunities for workers with family responsibilities, including women with fewer mobility possibilities, will require increasing opportunities for part-time work in decent work conditions, as well as redistributing responsibilities for unpaid care work within the household between women and men. As about a quarter of the employed population works part-time, there is a need to ensure that part-time workers have the same protection in access to employment, working conditions, and social security as full-time workers, in line with the ILO Part-Time Work Convention, 1994 (No. 175).

Women of reproductive age should be able to secure or return to employment after becoming mothers without significant temporary interruptions or disruptions in their work experience. The current system of maternity protection and parental leave does not allow employers to employ women of reproductive age. It also gives incentives for women to remain on a long maternity leave for up to three years, an overly long period during which deskilling may occur, especially in specialized occupations. Around the world, women are typically discriminated against when they discuss their marital status and their plans for child-rearing, notably during their job interview or performance appraisal. Maternity Protection Convention, 2000 and the Maternity Protection Convention (Revised), 1952 (No. 183) prohibits the use of maternity as a source of discrimination in employment, including access to employment. Women are guaranteed the right to return to their former position or an equivalent position paid at the same rate at the end of maternity leave. While measures to support women's employment may vary across economic sectors and occupations, these measures become less effective when decent employment opportunities are scarce. Gender equality measures should thus accompany a full employment policy.

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156 MoFA (2020).

157 L2CU (2018).

## ► Recommendations regarding workers with family responsibilities

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As part of a national equality policy to promote equality of opportunity and treatment without discrimination, relevant measures may include but are not limited to:

- Ensure that the new Labour Code upholds the principle of equality of opportunity and treatment between men and women workers with family responsibilities;
- Improve the provision of care services for various categories of the population, including children, the sick, persons with disabilities, and the elderly, to facilitate the access of workers with family responsibilities to employment and help improve work-life balance;
- Improve employment conditions in the care sector, including equal pay for work of equal value;
- Ensure that the new Labour Code confirms the right to parental leave in the spirit of equality of opportunity and treatment. Strengthen opportunities for granting parental leave to men and encourage fathers to use them;
- Develop materials to address gender stereotypes, including regarding care responsibilities, paid work opportunities, and physical mobility;
- Consider ratifying and applying ILO Conventions Nos. 156, 175, and 183.

### 5.2.4 Violence and harassment in the world of work

According to a recent study, socio-cultural expectations of women “put them in charge of and responsible for their families’ daily well-being and domestic space through their respective roles as mothers, wives, daughters-in-law, and caretakers. To many of them family values continue to be paramount despite divorces, economic hardships, and gendered violence.”<sup>158</sup> Uzbekistan has not yet ratified the ILO Violence and Harassment Convention, 2019 (No. 190). Yet the issues it addresses have been the priority of legislative activity at the national level. Law of the Republic of Uzbekistan No. 561 "On Protecting Women from Harassment and Violence" dd. September 2, 2019 seeks to protect women against all forms of harassment and violence, including sexual, physical, economic, and psychological violence. The law defines the rights of harassment and violence victims and guidelines for State policy as well as the mandates of different state and non-state actors. It provides measures to prevent, detect and combat harassment and violence against women.

The law notably initiates preventive measures in organizations regardless of their form of ownership to prevent harassment and violence in the workplace and to improve the relationship culture for women. The law is a step forward, but it has several shortcomings and does not explicitly forbid violence and harassment. It does not specify sanctions for the perpetrators beyond covering the engendered costs and damages for the victims and being restricted from possessing and carrying weapons for a specific period. Whereas the law refers to protection orders that may prohibit contact with victims of harassment and violence by the harasser and abuser, it explicitly allows indirect contact between the victim of harassment and violence and the harasser and abuser in workplaces and educational institutions. It means that harassers and abusers are allowed to maintain contact with their victims through social media or third parties such as friends, relatives, children, colleagues, or classmates. A major shortcoming of the law is that it does not address sexual harassment in the workplace, which includes two forms:<sup>159</sup>

- *quid pro quo* (this for that) sexual harassment: any physical, verbal or non-verbal conduct of a sexual nature and other conduct based on sex affecting the dignity of women and men, which is unwelcome, unreasonable, and offensive to the survivor/victim; and a person’s rejection of, or submission to, such conduct is used explicitly or implicitly as a basis for a decision which affects that person’s working conditions;
- hostile work environment sexual harassment: conduct that creates an intimidating, hostile or humiliating working environment for the recipient.

Another shortcoming of the law is that it protects only women, and defines victims as women, which can reinforce gender biases regarding women as in need of protection, whereas from a rights-based perspective all persons should be protection from violence and harassment.

An important prior piece of legislation is Presidential Decree No. 3827 of July 2, 2018 “On Measures to Improve the System of Social Rehabilitation and Adaptation as well as Prevent Family and Domestic Violence”.<sup>160</sup> 197 districts across the country have established rehabilitation and adaptation centres for victims of violence and suicide prevention.<sup>161</sup> The centres provide shelter and anonymous emergency medical, psychological, social, pedagogical, legal, and other assistance to women in difficult social situations, including those facing family problems and domestic violence. According to official reports, 20,556 women applied to these centres in 2019, with 3,063 receiving medical care, 6,600 psychological

<sup>158</sup> Peshkova (2020, p. 4).

<sup>159</sup> CEACR general observation of 2002.

<sup>160</sup> Presidential Resolution No. 3827 of 2 July 2018.

<sup>161</sup> MoFA (2020).

assistance, 4,021 legal assistance, 2,330 employment placement, and 1,513 financial loans.<sup>162</sup> The WCU has also opened a single hotline '1146' to provide urgent psychological and legal assistance while respecting confidentiality, which receives about 200 calls per day.<sup>163</sup>

Legislation defines the use of mediation in civil disputes, including family disputes.<sup>164</sup> According to the government, the WCU, the Mahalla Foundation, the Trade Union Federation, and other bodies can contribute to resolving such disputes. According to the President of the Republic, in 2019, appeals from more than 141 thousand women were received, with most being resolved positively.<sup>165</sup>

At present the information regarding violence and harassment in the world of work is insufficient. There are examples of harassment of Muslim women – the CEACR refers to reports of women who wear the hijab being forced to quit their jobs, being banned from running their own business, intimidated, and expelled from higher education institutions.

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162 Development Strategy Centre (2020).

163 HRC (2020).

164 Law No. 482 of 3 July 2018.

165 MoFA (2020).

## ► Recommendations regarding violence and harassment in the world of work

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As part of a national equality policy to promote equality of opportunity and treatment without discrimination, relevant measures may include to the following:

- Strengthen protection against violence and harassment, notably sexual harassment, and develop the legislation to defend all women and men, girls and boys against harassment and violence. Legislation should require employers to take appropriate steps with the degree of control to prevent violence and harassment in the world of work, including gender-based violence and harassment;
- Develop interventions to ensure protection against violence and harassment in the world of work. Such interventions may include developing guidance, training, and awareness raising for public officials, including judges, labour inspectors, police officers, prosecutors, as well as for public and private employers and workers. Model codes of practice and risk assessment tools can be developed whether at the general or sector-specific levels;
- Consider the ratification and application of ILO Convention No. 190.



## ▶ 6. Social protection

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This section addresses issues related to social protection of citizens across the life cycle, with a focus on protecting women and girls.

### 6.1 The need for a social protection floor

The Constitution of Uzbekistan guarantees the right to social security in old age, in the event of disability and loss of the breadwinner, as well as in some other cases specified by law. Pensions, allowances and other kinds of welfare may not be lower than the officially fixed minimum subsistence wage.<sup>166</sup> The Constitution guarantees the right to skilled medical care.<sup>167</sup> SDG target 1.3 is the implementation of “nationally appropriate social protection systems and measures for all, including floors (social security), and achieve significant coverage of the poor and vulnerable segments of the population.” The ILO Social Protection Floors Recommendation, 2012 (No. 202) provides guidance on universal social protection floors. It recognizes the overall and primary responsibility of the State in providing social protection and endorses principles that are crucial for increasing social cohesion particularly in times of rapid structural transformation of the economy, as Uzbekistan is currently going through. Yet the current social protection system suffers from resource and capacity deficits, with poor interagency coordination. Almost half the population lacks any social protection coverage.<sup>168</sup> UNICEF is supporting the Government to develop a single registry of social protection. Noting that “universal provision is the most effective means of ensuring that the poorest families can access social protection,”<sup>169</sup> UNICEF has formulated detailed proposals for Uzbekistan to reform its child benefit system. The principles underlying these proposals are enshrined in ILO Recommendation No. 202 (**Box 6**), which distinguish the normative approach to social protection from others that typically exacerbate gender biases including the male breadwinner bias and the risk bias.

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166 Article 39.

167 Article 40.

168 L2CU (2018).

169 UNICEF (2019, p. 25).

**► Box 6. Principles for social protection reform**

The State has overall and primary responsibility for social protection, and should comply with the following principles:

- (1) universality of protection, based on social solidarity;
- (2) entitlement to benefits prescribed by national law;
- (3) adequacy and predictability of benefits and allowances;
- (4) non-discrimination, gender equality of citizens and responsiveness to their special needs;
- (5) social inclusion, including of persons in the informal economy;
- (6) respect for the rights and dignity of people covered by the social security guarantees;
- (7) progressive realization, including by setting targets and time frames;
- (8) solidarity in financing while seeking to achieve an optimal balance between the responsibilities and interests among those who finance and benefit from social security schemes;
- (9) consideration of diversity of methods and principles, including of financing mechanisms and delivery systems;
- (10) transparent, accountable and sound financial management and administration;
- (11) financial, fiscal and economic sustainability with due regard to social justice and equity;
- (12) coherence with social, economic and employment policies;
- (13) coherence across institutions responsible for delivery of social protection;
- (14) high-quality public services that enhance the delivery of social security systems;
- (15) efficiency and accessibility of complaint and appeal procedures;
- (16) regular monitoring of implementation, and periodic evaluation;
- (17) full compliance with collective bargaining and freedom of association for all workers; and
- (18) tripartite participation with representative organizations of employers and workers, as well as consultation with other relevant and representative organizations of persons concerned.

**Source:** ILO Recommendation No. 202.

In recent years, the responsibility for social protection in Uzbekistan has increasingly shifted from the state to the employer (notably for maternity and sickness), family (notably care and financial support for the elderly), and individual (notably with declining unemployment benefits and promotion of self-employment, provision of care services for elderly, children and adults with disabilities).<sup>170</sup> The individualization of responsibility carries significant gender bias, as per our earlier discussion of risk bias. Moreover, the male breadwinner bias underlies much of existing frameworks, with the assumption that employment is men's responsibility and unpaid care work is women's responsibility. The Labour Code refers to women, along with minors and the disabled, as individuals in need of higher social protection.<sup>171</sup> Law of the Republic of Uzbekistan No. 562 of September 2, 2019 "On Guarantees of Equal Rights and Opportunities for Women and Men" guarantees equality between women and men in social protection, health care, and safe working conditions that ensure the life and health of women and men, including the maintenance of reproductive health. The total number of social protection beneficiaries fell from 8.1 million persons in 2012 to 6.4 million persons in 2017, with a cumulative fall of 21 per cent throughout the 2012–2017 period.<sup>172</sup>

## 6.2 Social protection

Child health has improved in recent years but social protection for girls and boys has deteriorated both in terms of coverage and level of investment. The mortality rate of children under five fell from 10.1 per thousand in 2009 to 9.8 per thousand in 2018. The Uzbekistan's system of assignment and payment of child benefits includes three main positions: a childcare allowance for non-employed mothers with a child under two years of age, a family allowance for families with children aged 2 to 14 years, and a child disability benefit for children up to 15 years.<sup>173</sup> Only 17 per cent of children aged 0–17 years live in a household that receives a child benefit. This is partly because the social protection system has largely moved from universalism to targeting of the poorest, as in the case of the childcare and family allowances. Between 2009 and 2018, the number of families receiving the family allowance and childcare allowance shrunk by 67 per cent and 61 per cent respectively. Less than 25 per cent of children under 2 years of age receive the childcare allowance, and only one in ten children aged 2 to 14 is in a family that receives the family allowance. Yet even as the child disability benefit has a universal basis, only 52 per cent of children with severe disabilities receive it. The level of investment in child benefits has fallen from 1.6 per cent of GDP in 2011 to 0.43 per cent in 2018.<sup>174</sup> Because of fiscal constraints, *mahallas* have waiting lists and have to select the poorest of the poor, which along with institutional capacity deficits, leads to 75 per cent of eligible low-income families excluded from coverage.<sup>175</sup> The notion that children are the responsibility of women, along with the associated humiliation associated with men applying for a child benefit for low-income families, makes women the majority of beneficiaries of family allowances, although they are formally gender neutral.<sup>176</sup> Moreover, the conditionality of childcare benefit on women's non-employment disincentivizes their access to formal employment, particularly in rural areas. UNESCO has proposed a social protection floor providing basic social security guarantees for all children.<sup>177</sup> A social protection floor would help address the poor coverage of the current system as well as its gender biases.

170 ILO et al. (2020).

171 Article 6.

172 ILO et al. (2020).

173 UNICEF (2019).

174 UNICEF (2019).

175 L2CU (2018).

176 ILO et al. (2020).

177 UNESCO (2019).

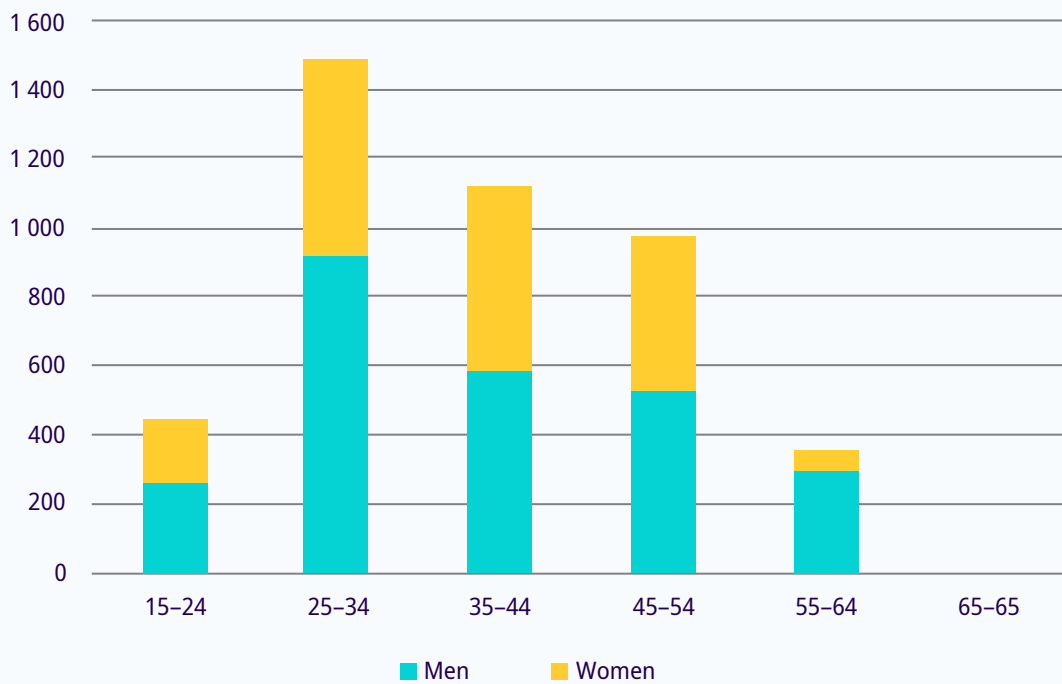
## 6.3 Social protection for women and men of working age

### 6.3.1 Social security coverage

Most employed women as opposed to men work at companies, which employers contribute to social security schemes, according to 2018 data,<sup>178</sup> with a social security coverage rate of 48 per cent overall (42 per cent for men and 59 per cent for women). Women represent 42 per cent of the employed population in a job covered by social security, including 19 per cent of the employed aged 55 to 64, which is beyond the retirement age of women (**Figure 14**). Given the prevalence of informal employment, the limited representation of women in formal full-time employment, and the intermittent presence of women in the labour force, there is a need for a social protection floor.

► **Figure 14.**

Social security coverage of the employed population (thousands), by age group and sex, 2018



Source: Author, based on L2CU (2018).

178 L2CU (2018).

### 6.3.2 Maternity protection

Uzbekistan has ratified the ILO Maternity Protection Convention (Revised), 1952 (No. 103). The Labour Code entitles women to paid maternity leave for a period of 10 weeks before childbirth and 8 weeks after childbirth (10 weeks in case of difficult birth or birth of two or more children). The duration of maternity leave is in line with the 14 weeks specified in the ILO Maternity Protection Recommendation, 2000 (No. 191), beyond the 14 weeks of the ILO Maternity Protection Convention, 2000 and the Maternity Protection Convention (Revised), 1952 (No. 183), which Uzbekistan has not yet ratified. referred to studying the possibility of implementing ILO Convention No. 183 in national legislation.<sup>179</sup> The share of funds allocated for maternity benefits for women working in public organizations, at the expense of the state budget, was at 1.5 per cent of wages in 2018, unchanged from 2017.<sup>180</sup>

The current system makes employers pay the maternity benefit of their employees during maternity leave, with the benefit set at 100 per cent of the monthly wage. This provokes employers not to hire women of reproductive age. Interviews with both workers' and employers' organizations have revealed interest in studying the possibility of establishing a Maternity Benefit Fund to which employers would contribute. Such a fund would rectify the risk bias inherent in the current system, by making all employers contribute to maternity benefits, rather than the individual employer employing a woman on maternity leave.

The disadvantage to employing women of reproductive age under the current maternity protection system is compounded with the possibility of women remaining on parental leave for prolonged periods. The benefit paid during that period is twice the minimum wage and is financed by the employer in the private sector and the general budget in the public sector. Key informant interviews have revealed that parental leave in the country is often understood as maternity leave, with many interviewees referring to maternity leave of up to three years, whereas legislation refers to parental leave. The reason is that the current labour code has provisions only for women with family responsibilities, and to fathers only in exceptional circumstances. Even official statistics lump the two categories together, with the SCS reporting that in the first half of 2019 there were more than 1.77 million women on maternity leave or caring for children under 2 years of age. The new labour code should ensure that parental leave does not discriminate between women and men, and that such parental leave is provided in addition to the maternity leave period. Another important consideration regarding maternity protection is with respect to women entrepreneurs. National policy current promotes entrepreneurship among women, yet as per key informants, women entrepreneurs are likely to work in the informal economy, without social protection and notably without maternity protection.

### 6.3.3 Unemployment protection

The Cabinet issued a Regulation on organizing the activities of the Public Works Fund under the MELR of the Republic of Uzbekistan. The State program for the implementation of the Action Strategy in the five priority areas of the Republic of Uzbekistan in 2017–2021 in the year of active investments and social development notably refers to supporting women in difficult living conditions. An accomplishment mentioned in its implementation report of January 2020 lists a joint WCU-MELR targeted programme employing 13,044 women with difficult living conditions, including 475 in the socioeconomic development programme, 4,283 in existing enterprises, 386 in quota jobs, 339 in handicrafts, 525 in family business, and 365 are in private and auxiliary farms at the expense of sponsors. Moreover, 4,001 were provided with paid public works and 2,670 were employed in other areas due to job creation at animal husbandry, beekeeping, rabbit breeding companies, greenhouses and others.<sup>181</sup> It is important to note, however,

<sup>179</sup> Presidential Resolution No. 3001 of 24 May 2017.

<sup>180</sup> SCS (2020).

<sup>181</sup> Development Strategy Centre (2020).

that official reports regarding job creation by specific programmes reflect gross job creation. Persons getting the new jobs may have had other jobs before, and as such job creation may occur alongside job destruction, together generating job reallocation. For example, according to the World Bank, the government's annual job creation programme reported the creation of about 970 thousand jobs on average each year between 2010 and 2016, while according to official employment statistics only 281 thousand had been created per year on average during that period (net job creation).<sup>182</sup> That is, for that period net job creation was 29 per cent of gross job creation. Another question is about the quality of jobs, which is seldom reported. Governance issues are also a concern.<sup>183</sup>

► **The number of newly introduced jobs at enterprises in the form of a legal entity of the Republic of Uzbekistan for the period from 2010 to 2016 averaged 451 thousand jobs per year**

	2010	2011	2012	2013	2014	2015	2016
<b>Number of jobs created (without farms)</b>	463 112	617 541	553 830	473 000	411 701	314 262	322 657

### 6.3.4 Employment injury protection and disability benefits

If a disability or death is caused by employment injury or professional disease, the pension is assigned, regardless of the years of employment and contributory years.<sup>184</sup> If a disability or death is caused by a general disease, then the full pension is assigned to a family member if the worker's employment record reaches a specific number of years. The number of years of experience varies from two to 20 years, depending on the age of the worker. Disability pensions are assigned depending on the level of disability. The level of disability is determined based on a medical examination carried out by medical and labour advisory commissions. In 2016 there were about 589 thousand persons with disability (42 per cent women).<sup>185</sup> Of these, 40 per cent received pensions and social allowances, with women more likely to be beneficiaries (45 per cent among women and 37 per cent among men). Among retirees, in 2017 women represented 40 per cent of persons receiving disability benefits. The State Programme for the implementation of the Action Strategy for the five priority areas of development of the Republic of Uzbekistan in 2017–2021 in the Year of Science, Enlightenment and Digital Economy refers to provision of affordable housing to 1,576 women with disabilities in difficult living conditions.

## 6.4 Social protection for older women and men

Given the universal old age pension provision, 82 per cent of the elderly population is covered by contributory old age pensions, meaning that one in five elderly persons lacks old age income security.<sup>186</sup> In 2017, women represented two-thirds of old-age pension recipients.<sup>187</sup> Elderly persons who do not have the required minimum years of employment are eligible to receive old-age social pension, but only if they live alone and have no family to assume responsibility for their income security. Social protection for the elderly, particularly women is currently deficient, as indicated by increasing numbers of women of

182 World Bank (2018).

183 The MoF announced in August 2019 that it had uncovered illegal embezzlement of funds by certain public employment centres, referring the cases to law enforcement agencies.

184 ILO et al. (2020).

185 SCS (2020).

186 ILO et al. (2020).

187 SCS (2020).

retirement age looking for employment. In 2018, when the retirement age was 55 for women with at least 20 years of work experience and 60 for men with 25 years of work experience, among the population aged 55 to 64 the unemployment rate was 5.6 per cent for women and 3.7 per cent for men.<sup>188</sup> According to official statistics, in 2018 there were more than 117 thousand employed persons of retirement age and below the working age. In terms of social security coverage, employed women are more likely to be protected than employed men (59 per cent and 42 per cent respectively). One reason for this is that women are mostly represented in the public sector. The share of funds allocated for maternity benefits for women working in public organizations, at the expense of the state budget, was at 1.5 per cent of wages in 2018, unchanged from 2017.

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188 L2CU (2018).

## ► Recommendations regarding social protection

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Conduct an assessment of the gender responsiveness of existing social protection policies for citizens across the life cycle, in law and practice. Based on the assessment, develop an action plan to address gender inequalities in social protection in line with the principles for social protection reform specified in ILO Recommendation No. 202. The action plan can include the following:

- Investments in extending the coverage and improving the adequacy of social protection through a two-dimensional approach. The horizontal dimension involves rapidly implementing a universal basic social protection floor in line with SDG Task 1.3. Such a floor should ensure universal access to essential health care and income security. The vertical dimension involves the progressive achievement of higher levels of protection within a comprehensive social security system according to the ILO Social Security (Minimum Standards) Convention, 1952 (No. 102).
- Ensure-ing that maternity protection is accessible to all employed women, including women entrepreneurs. Study the possibility of establishing the Maternity Benefit Fund in consultation with social partners, in line with ILO Convention No. 183
- Development of capacities of relevant government agencies and partners to design and deliver gender-responsive social protection schemes
- Evaluating the methodologies relating to the subsistence minimum and the consumption basket from a gender perspective, in light of international good practice
- Ensuring that the government programmes provide linkages to complementary services and programmes including community-based initiatives.



## ► 7. Labour governance

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This section addresses labour governance issues, namely labour administration and labour inspection, as well as freedom of association, collective bargaining, and social dialogue.

### 7.1 Labour administration and labour inspection

The translation of legal stipulations and policy commitments often depends on the strength of labour administration and labour inspection. Among the responsibilities of the State Labour Inspectorate of the MELR is the implementation of public monitoring and supervision of compliance of organizations, regardless of their organizational and legal forms, with labour legislation requirements as it pertains to the observance and protection of labour rights of the citizens, as well as occupational safety and health.<sup>189</sup> The Inspectorate notably carries out public monitoring and supervision over the accurate application of the list of jobs with unfavourable working conditions in which the employment of women is prohibited, and the maximum permissible loads for women when lifting and carrying objects. The Inspection is responsible for the organization, jointly with relevant ministries, departments and non-governmental organizations, of the development of measures to ensure the prevention and elimination of forced labour and labour discrimination and holding the responsible officials liable in accordance with the law. In that regard, the Inspectorate notably monitors compliance with labour rights and guarantees as provided for in the legislation for certain categories of workers (women, minors, students of tertiary and vocational education institutions, persons with disabilities, persons released from military service, etc.).

#### ► Box 7. Third-party monitoring of forced labour and child labour

Uzbekistan has achieved significant progress to ensure the free recruitment of cotton pickers by farms and preventing child labour and forced labour during the cotton harvest. ILO third-party monitoring on the incidence of child labour and forced labour in the World Bank-financed projects in agriculture, water and education sectors has taken place since 2015. Tripartite constituents and human rights activists contribute to the monitoring and assessment process. An action plan was adopted in July 2015 to guarantee the voluntary recruitment of cotton pickers and prevent forced and under-age labour during the cotton harvest. Between 2015 and 2019, the number of pickers in forced labour fell from 448 thousand to 102 thousand, a drop of 77 per cent. Meanwhile their share in the total number of pickers fell from more than 13 per cent to less than 6 per cent. The report of the 2019 cotton harvest indicates that schoolchildren and students were not mobilized for cotton harvesting. As in previous years, there were only isolated cases of using the underage labour. Some 1.75 million people (12.5 per cent of the working-age population) were involved in cotton harvesting in 2019. The total number of people involved in the cotton harvest also continues to decline, mainly because of reduced cotton production

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<sup>189</sup> Annex to Cabinet Resolution No. 1066 of 31 December 2018.

and gradual introduction of mechanization. The gender aspect is especially important in labour evaluation. One in eight adults are engaged at some point of the cotton harvest every year to pick cotton by hand, and six in ten pickers are women. ILO data analysis reveals that in 2019 there were fewer women in cotton picking than in the previous harvest. It highlights a clear tendency of the distribution between men and women evening out as wages go up and forced labour goes down. There is no systematic data to assess the extent to which the significant progress in reducing forced and child labour in the cotton harvest has been translated more broadly.

**Source:** ILO (2020).

Forced labour and child labour have been major concerns in the country. The Constitution of Uzbekistan stipulates that any forced labour shall be prohibited except for punishment under the sentence of a court or some other instances stipulated by law.<sup>190</sup> Uzbekistan has ratified the ILO Forced Labour Convention, 1930 (No. 29), the ILO Abolition of Forced Labour Convention, 1957 (No. 105), the ILO Minimum Age Convention, 1973 (No. 138) with the minimum age specified at 15 years, and the ILO Worst Forms of Child Labour Convention, 1999 (No. 182). In September 2019 it has also ratified the Protocol 2014 to the ILO Forced Labour Convention, 1930. Ratification of these documents reflects the Government's commitment to abolish forced and child labour. In recent years the CEACR has raised specific issues regarding forced labour in agriculture, particularly cotton production, as well as sanctions in the criminal code involving compulsory labour as a punishment for the expression of political or ideological views or for breaches of labour discipline, and for participation in strikes. Third-party monitoring of child and forced labour during the cotton harvest has taken place since 2013, with significant progress achieved in reducing child and forced labour (**Box 7**).

Furthermore, the Government ratified in 2019 the ILO Labour Inspection Convention, 1947 (No. 81) and the ILO Labour Inspection (Agriculture) Convention, 1969 (No. 129). This is the important step in the right direction which will need to be strengthened in practice. For example, non-compliance with the principle of equality of opportunity and treatment, including the requirement of equal pay for work of equal value, needs to be monitored and adequately addressed by the related authorities. The CEACR has noted the lack of information regarding cases dealt with by the State Labour Inspectorate, the Prosecutor-General's Office, the courts, or the Ombudsperson. Where labour administration and inspection systems have little power or are insufficiently trusted by workers, workers may doubt the successful resolution of problems before filing complaints. Workers may also lack information regarding legislation and complaints procedures. As such, the absence of complaints should not be construed as reflecting absence of violations.

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190 Article 37.

## ▶ Recommendations regarding labour administration and labour inspection

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- ▶ Apply the recently ratified ILO Conventions Nos. 81 and 129
- ▶ Review and strengthen monitoring and complaints mechanisms as well as reporting on non-compliance and measures undertaken in a gender responsive manner. Such monitoring should notably address gender-based discrimination in pay and in employment and occupation.
- ▶ Develop awareness-raising campaigns for workers and employers regarding dissemination of information on the labour legislation and recourse mechanisms
- ▶ Train relevant authorities, including judges, labour inspectors, and other public officials on equality of opportunity and treatment
- ▶ Further efforts to eliminate forced and child labour in all its forms by building on the experience of the initiative on third-party labour monitoring in the cotton harvest
- ▶ Focus on the gender dimension in the eradication of forced and child labour, including in relation to gender-based violence

## 7.2 Freedom of association, collective bargaining, and social dialogue

Uzbekistan has ratified the ILO Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), the Workers' Representatives Convention, 1971 (No. 135), and the Collective Bargaining Convention, 1981 (No. 154). The most representative workers' organization in the country is the Federation of Trade Unions, and the most representative employers' organizations is the Uzbekistan Chamber of Commerce and Industry. A Confederation of Uzbekistan Employers was established in 2018, although its institutional presence is still at initial stages. There is a need to strengthen workers' and employers' organization consistently with the right to create associations. The FTU was granted associated status in the International Trade Union Confederation in October 2015, with the ITUC leadership recognizing FTU achievements notably regarding promoting fundamental principles and rights at work, noting that the FTU had "criticised the draft labour code that would significantly flexibilise the labour market, as well as introduction of flat taxation," and recognizing its "significant movement towards more autonomy."<sup>191</sup> According to the Government,<sup>192</sup> whereas 49 per cent of trade unionists in FTU member organizations are women, they are less represented in the trade union leadership, at 41 per cent of the chairs of primary trade union organizations, 14 per cent of the chairs of joint trade union committees, 23 per cent of the chairs of district and urban trade union councils, and 7 per cent of the chairs of the regional associations of trade union organizations. A third of the management posts in the administration of the FTU and a third of the department chiefs of the Council of the FTU are also women.

Law of the Republic of Uzbekistan No. 562 of September 2, 2019 "On Guarantees of Equal Rights and Opportunities for Women and Men guarantees equal rights and opportunities for women and men in collective bargaining. In collective bargaining, some measures to support women have been inconsistent with the principle of equality of opportunity and treatment. According to a CEACR review of collective agreements in the country, numerous provisions provide special protection and benefits to women with children or to people bringing up children without their mother. Such provisions both reflect a male breadwinner bias and reinforce it. Collective bargaining agreements can be an important tool to promote gender equality. Thus, in 2018 the sectoral agreement between the Republican Trade Union Council of Chemical and Pharmaceutical Workers and the joint-stock company Uzkimyosanoat was amended to implement the principle of equal pay for work of equal value in line with ILO Convention No. 100. The FTU has recommended similar provisions for other sectoral agreements. It has also introduced such provisions in its general model collective agreement, with explicit reference to Convention No. 100. The 2020-2022 General Agreement on Socioeconomic Issues signed in January 2020 by the Cabinet of Ministers, Council of the FTU, and Confederation of Employers of Uzbekistan incorporates measures to achieve gender equality. It notably promulgates gender equality in hiring, promotion, and pay, and refers to appointing an officer within the organization and its business units with a duty to ensure gender equality.

Social partners contribute to the formulation of employment policy in line with the ILO Employment Policy Convention, 1964 (No. 122). It is not clear to what extent they have the technical capacity for gender-responsive economic analysis, planning, and monitoring and the institutional capacity to influence policy processes in defence of their constituencies. The ratification of the ILO Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144) in March 2019 signals the Government's commitment to social dialogue. Official statistics exist regarding women's representation in State institutions, but there is insufficient information regarding women's representation in the membership and leadership of workers' and employers' organizations as well as in government institutions that

<sup>191</sup> ITUC (2019).

<sup>192</sup> HRC (2019).

engage in social dialogue. Such organizations and institutions may translate their commitment to gender equality in undertaking participatory gender audits as per the ILO methodology.<sup>193</sup> Organizing efforts need to be grounded address the realities of workers and work. About half the population lives in rural areas, most working persons are in the informal economy and most working women are dedicated to unpaid child care and household work. There is a need to ensure that all categories of women and men workers can defend their rights and have their voice heard, including women in the informal economy, agricultural workers, street vendors, domestic workers, migrant workers, and workers with disability.

Women's participation in social dialogue is both an outcome of their strengthened position in the world of work, as well as an important factor in advancing gender equality. In order to further develop the national tripartite social dialogue in Uzbekistan, Cabinet Resolution No. 553 on tripartite commissions on social and labour issues is adopted on July 03, 2019. The Republican Tripartite Commission on Social and Labour Affairs, which includes representation from the Businesswomen's Association (BWA), has five permanent working groups, although none specifically on gender equality. The working groups promote non-discrimination as part of their mandate to advance fundamental principles and rights at work. A new permanent working group on gender equality would help ensure that the broader gender equality issues are addressed in a tripartite manner. The follow-up to the current report can also be done using tripartite or tripartite-plus mechanisms to be inclusive of more membership-based organizations, including for women and workers in the informal economy.

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193 ILO (2012b).

## ▶ Recommendations regarding freedom of association, collective bargaining, and social dialogue

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- ▶ Strengthen workers' and employers' organizing through greater respect for freedom of association and the right to collective bargaining
- ▶ Encourage government institutions and social partners to undertake participatory gender audits
- ▶ Systematically collect data on women's participation in workers' and employers' organizations and in social dialogue institutions, as well as data on collective bargaining agreements and how they address gender concerns
- ▶ Enshrine the principle of equality of opportunity and treatment in collective agreements
- ▶ Address gender equality in the world of work as a priority in national social dialogue.

## ► 8. Conclusion

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Uzbekistan has made significant efforts to improve women's situation in the world of work. Gender-sensitive socio-economic development on the principles of gender equality implies the promotion of decent work and ensuring a minimum level of social protection for all, as well as overcoming gender bias at the legislative, political, organizational and practical levels. Public policy gives central importance to the institution of the family. It is necessary to recognize that care, whether paid or unpaid is the responsibility of society, not only that of the women and men of the family. The promotion of decent work, gender equality, and a social protection floor for all are part of the Government's commitment to realizing the sustainable development goals. Gender equality is not only a social issue to be addressed at the micro-level, but an economic issue to be addressed at the macro-level as well.

Employment is the main source of household income in Uzbekistan. Most working women are dedicated to unpaid household work to take care of children, other family members, and the housekeeping, whereas most working men are remunerated. Unpaid household work is invisible and undervalued. As most working women are dedicated to unpaid household work, for their monetary income they depend on others, typically other family members, mainly men, state, or non-state institutions. The inability of the economy to generate sufficient and decent number of jobs affects women and men unequally. Compared to men, women have almost half the labour force participation rate, less than half the employment-to-population ratio, and more than double the unemployment rate. The structural nature of the job deficits is reflected in the prevalence of long-term unemployment, with half of women's unemployment and more than a third of men's lasting a year or more. In addition to the sharp gender division of labour between paid and unpaid work, segregation between women and men in employment is strong, both vertically and horizontally. Migration has been on the rise and needs governance frameworks that ensure its gender fairness for women and men.

As this report was being finalized, the world was struggling with the Coronavirus (COVID-19) pandemic. The Republic of Uzbekistan was not spared. The Government took several measures to protect against the negative impact of the pandemic on industries and living standards of workers. Discussion of repercussions of the pandemic on Uzbekistan are beyond the scope of this report. Nevertheless, the pandemic brought to the fore the importance and relevance of the five areas discussed in this report: social protection, employment opportunities, working conditions, labour governance, and gender-responsive labour statistics. The findings and recommendations of the report remain timely, even as the sequencing of responses may need adapting.

The following overview summarizes key findings and policy recommendations discussed in this report to advance gender equality in the world of work of Uzbekistan. They involve realizing international labour standards as well as the sustainable development goals.

The measures proposed in the report for the development of state policy to ensure gender equality in the workplace were taken into account and reflected in the draft Strategy for achieving gender equality in the Republic of Uzbekistan until 2030. Mechanisms for implementing the Strategy are currently being developed and gradually put into practice. In particular, there are proposals to ratify ILO Conventions: the Equal Remuneration Convention, 1951 (No. 100), Discrimination (Employment and Occupation) Convention, 1958 (No. 111), Workers with Family Responsibilities Convention, 1981 (No. 156), Part-time Work Convention, 1994 (No. 175), Home Work Convention, 1996 (No. 177), Domestic Workers Convention, 2011 (No. 189), and Violence and Harassment Convention, 2019 (No. 190) are reflected in the decision of the Parliamentary Commission to oversee the implementation of Uzbekistan's National Sustainable Development Goals and targets for the period until 2030.

## Labour statistics and their gender responsiveness

National statistics in general, and labour statistics more specifically, do not systematically report differences by gender indicators. The national statistical system has multiple gaps to address in relation to labour and gender statistics, including the non-systematic adherence to ILO statistical standards.

### Recommendations

- ▶ Develop the capacities of relevant actors on the collection, processing, and reporting of decent work indicators and gender-responsive statistics, including sex-disaggregation of all statistics and coverage of topics of gender concern, in addition to the minimum gender indicators
- ▶ Ensure regular updating of the national statistical system in line with the most recent ICLS Resolutions and Guidelines

## Employment and macroeconomic policies

Uzbekistan has witnessed jobless growth, low productivity of jobs created, and women and youth not getting good jobs. The ongoing reforms already have many efficient measures that can be strengthened to go in the direction of gender-equitable socioeconomic development. A major challenge is with respect to strengthening the capacity of policymakers and decision-makers on gender-responsive macroeconomic policy.

### Recommendations

- ▶ Place full, productive, and freely chosen employment, decent work for all, and gender equality at the heart of macroeconomic policy, in line with the ILO Centenary Declaration for the Future of Work and the SDGs
- ▶ Design and implement public policies for gender-equitable socioeconomic development through inclusive social dialogue that integrates women's voices and concerns

## Education and training policy

Several reforms have been underway to promote the education and training of women and girls, including in economic sectors where they are under-represented, notably STEM fields. National institutions should be enabled to anticipate and shape future needs with respect to education, training, employment, and migration in a gender-responsive manner.

### Recommendations

- ▶ Ensure coordination between education, training, employment, and migration activities on decent work and gender equality through joint committees of action consisting of the related national institutions
- ▶ Take measures for gender mainstreaming at the individual, family, school, and societal levels

## Entrepreneurship policy

Entrepreneurship promotion has been central to the approach adopted by the Government to increase women's employment. Anybody can be an entrepreneur under the right conditions, not everybody can be a successful entrepreneur. When women's entrepreneurship is promoted collective forms of organizing should be encouraged, including the cooperative form.



### Recommendations

- ▶ Ensure that promoting women's entrepreneurship does not fuel the growth of the informal economy, including in rural areas. Measures may include supporting informal enterprises to improve job quality, access to markets, access to services, as well as peer support and organization
- ▶ Promote women's entrepreneurship and innovation in high value-added sectors and occupations with high potential for future growth, including in the paid care economy, STEM fields, and green jobs

### Working conditions

The majority of jobs in the country are in the informal economy. There is a need to better track the quality of jobs empirically, as well as to bring the issue of quality of jobs to the forefront when discussing women and work. Prevailing gender norms assign family responsibilities to women at home. The home appears as the main site for women's work, whether paid or unpaid. Discussions regarding agricultural and land reform need to better address the question of working conditions of agricultural workers.

### Recommendations

- ▶ Design and implement a coherent and integrated strategy to facilitate the transition to the formal economy through tripartite social dialogue that is inclusive of women and men engaged in the informal economy
- ▶ Ensure that all categories of workers enjoy effective legal and social protection, including women agricultural workers, street vendors, domestic workers, migrant workers, and workers with disability

### Equal remuneration

Women's wages are less than two-thirds of men's wages, and jobs associated with women are undervalued and underpaid. Existing legislation falls short of guaranteeing equal pay for equal value. Gender bias in pay cannot be addressed by ensuring equal pay for equal work, since women and men typically engage in different jobs, with women concentrated in lower-paid ones. There are different ways to evaluate jobs in an objective manner that is free from gender bias.

### Recommendations

- ▶ Uphold the principle of equal pay for work of equal value
- ▶ Monitor and enforce the pay equity principle through presenting pay data disaggregated by sex, occupation, and sector, as well as strengthened role for labour inspectors in identifying and addressing discrimination in pay. Measures need to be introduced at various levels (national, sectoral, enterprise...) through social dialogue to ensure that job evaluation and pay determination are free from gender bias
- ▶ Consider joining and encouraging workers' and employers' organizations, the private sector, academia, and civil society organizations to join the Equal Pay International Coalition (EPIC), as a way to commit to pay equity and find out internationally how to close the gender pay gap, including in the informal economy.

### Discrimination in employment and occupation

The prevailing rationale for national frameworks addressing women's issues has been the assumption that women are weak and in need of men's protection, with growing efforts to transform them towards gender equality. This gender bias is prevalent in the Labour Code. Women may face discrimination under multiple grounds. Applying the principle of equality of opportunity and treatment can contribute to decreasing the vertical and horizontal gender segregation that follows from gender discrimination. Making ownership, control, and access of resources equal between women and men can also be key in that regard.

### Recommendations

- Uphold the principle of non-discrimination in employment and occupation, including in access to vocational training, access to employment and to particular occupations, and terms and labour conditions.
- Ensure that any restrictions to women's employment are specific to pregnant and nursing women that are justified for maternity protection, unless risk assessments demonstrate that there are risks specific to women's health or safety that need to be addressed. Such restrictions, if any, must be justified and based on scientific evidence and, when in place, be periodically reviewed in the light of technological developments and scientific progress to determine whether they remain necessary.

### Workers with family responsibilities

Family responsibilities, including care for children and the elderly, are often assumed to be the responsibility of women, which disadvantages them in the world of work. The Labour Code assumes that family responsibilities fall primarily on women. Women of reproductive age should be able to become mothers and secure or return to employment without significant temporary interruptions or disruptions in their career. Recent legislation stipulates that housework is to be performed equally by women and men and cannot be a basis for direct or indirect gender discrimination. Moreover, recognition of lack of early childcare services as an obstacle to women's employment has led to significant investment in that regard.

### Recommendations

- Uphold the principle of equality of opportunity and treatment between men and women workers with family responsibilities;
- Improve the provision of care services for various categories of the population, including children, the sick, persons with disabilities, and the elderly, to facilitate the access of workers with family responsibilities to employment and help improve work-life balance.

### Violence and harassment in the world of work

Recent legislation seeks to protect women against all forms of harassment and violence, including sexual, physical, economic, and psychological violence. The system of social rehabilitation and adaptation has been expanded. Insufficient information exists regarding violence and harassment in the world of work. Several shortcomings in legislation and policy need to be addressed to effectively protect all persons from violence and harassment.

### Recommendations

- Strengthen protection against violence and harassment, notably sexual harassment, and expand protective legislation to cover all women and men and boys and girls. Legislation should require employers to take appropriate steps commensurate with their degree of control to prevent violence and harassment in the world of work, including gender-based violence and harassment.
- Develop interventions to ensure protection against violence and harassment in the world of work. Such interventions may include developing guidance, training, and awareness raising for public officials, including judges, labour inspectors, police officers, prosecutors, as well as for public and private employers and workers and their organizations. Model codes of practice and risk assessment tools can be developed whether at the general or sector-specific levels.

## Social protection

In recent years, the responsibility for social protection has increasingly shifted from the state to the employer, family, and individual, which carries significant gender bias. While child health has improved in recent years, social protection for girls and boys has deteriorated both in terms of coverage and level of investment. The current system of maternity protection creates an incentive against the employment of women of reproductive age. Official reports regarding job creation by specific programmes reflect gross job creation and do not report the quality of jobs. Women represent about two-thirds of old-age pension recipients.

### Recommendations

- ▶ Invest in extending the coverage and improving the adequacy of social protection through a two-dimensional approach. The horizontal dimension involves rapidly implementing a universal basic social protection floor. Such a floor should ensure universal access to essential health care and income security. The vertical dimension involves the progressive achievement of higher levels of protection within a comprehensive social security system.
- ▶ Ensure that maternity protection is accessible to all employed women, including women entrepreneurs, and study the possibility of establishing a Maternity Benefit Fund in consultation with social partners.

## Labour governance

The translation of legal stipulations and policy commitments often depends on the strength of labour administration and labour inspection. The country has achieved significant progress to ensure the free recruitment of cotton pickers by farms and preventing child and forced labour during the cotton harvest. Women's participation in social dialogue can be both an outcome of their strengthened position in the world of work, as well as an important factor in advancing gender equality. The follow-up to the current report can also be done using tripartite or tripartite-plus mechanisms to be inclusive of more membership-based organizations, including for women and workers in the informal economy.

### Recommendations

- ▶ Train relevant authorities, including judges, labour inspectors, and other public officials on equality of opportunity and treatment.
- ▶ Encourage government institutions and social partners to undertake participatory gender audits.

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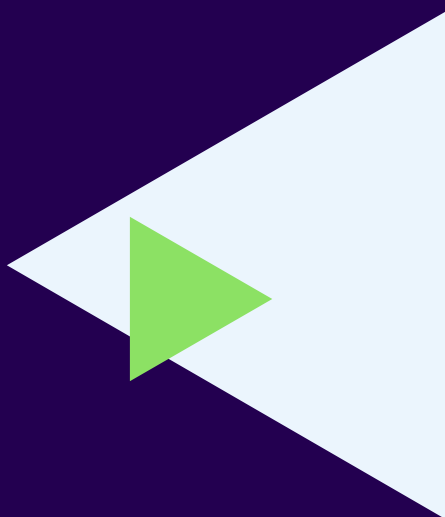
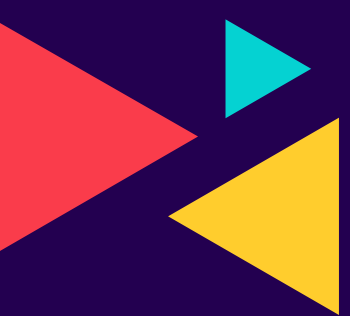
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