



Problems of gender inequality in labor relations in Uzbekistan: survey results

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ABSTRACT

The article examines the features and importance of consolidating the norms of gender equality in the constitutions and laws of Uzbekistan and foreign countries. In addition, the article discussed the issues of consolidating the norms that guarantee gender equality in legislation, how it works in practice, as well as social factors that can negatively affect the implementation of gender policy pursued by the state. The author conducted an anonymous survey of more than 300 respondents to prove these problems with concrete facts. As a result of the research, the problem of gender stereotypes in labor relations was studied and analyzed. In addition, the article discussed female and male professions, the problem of their rooting in the minds of our society and their negative impact on the career of women. In this article, the author, analyzing the influence of gender stereotypes on the life and work of women, in particular on cases of discrimination against them in hiring, choosing a profession and labor relations draws appropriate conclusions and proposals for legislation.

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Ўзбекистонда меҳнат муносабатларида гендер тенгсизлиги муаммоси: сўровнома натижалари

АННОТАЦИЯ

Калит сўзлар:

гендер тенглик,
гендер стереотиплар,
сўровнома,
респондентлар,

Ушбу мақолада Ўзбекистон Республикаси ва хорижий мамлакатлар конституция ва қонунларида гендер тенглиги нормаларини мустаҳкамланишининг ўзига хос хусусиятлари ва аҳамияти муҳокама қилинган. Шунингдек мақолада,

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аёлларга мос касблар,
дискриминация,
меҳнат муносабатлари.

гендер тенглигини таъминлашга қаратилган нормаларнинг қонунчиликда мустақамланганлиги, уларнинг амалиётда қанчалик ишлаши масаласи, бундан ташқари, давлат томонидан олиб борилаётган гендер сиёсатининг реализациясига салбий таъсир қилиши мумкин бўлган ижтимоий факторлар муҳокама қилинган. Ушбу масалаларни аниқ далиллар билан исботлаш мақсадида муаллиф томонидан 300 дан зиёд респондентлар ўртасида аноним ижтимоий сўровнома ўтказилган. Ушбу сўровнома натижасида, меҳнат муносабатларида гендер стереотиплари муаммоси ўрганилган ва таҳлил қилинган. Бундан ташқари, аёллар ва эркекларга хос бўлган касблар, уларнинг жамиятимиз онгида маҳкам ўрнашиб олганлиги муаммоси ва аёлларнинг профессионал фаолиятида ўсишига бўлган салбий таъсири муҳокама қилинган. Ушбу мақолада муаллиф гендер стереотипларининг аёллар ҳаёти ва фаолиятига таъсирини, хусусан уларга нисбатан ишга киришда, касб танлашда ва меҳнат фаолияти давомида кузатиладиган дискриминация ҳолатларини таҳлил қилган ҳолда, тегишли хулоса ва қонунчиликка таклифларни билдирган.

Проблемы гендерного неравенства в трудовых отношениях в Узбекистане: результаты опроса

Ключевые слова:

гендерное равенство,
гендерные стереотипы,
опрос,
респонденты,
женские профессии,
дискриминация,
трудовые отношения.

АННОТАЦИЯ

В статье рассматриваются особенности и важность закрепления норм гендерного равенства в конституциях и законах Республики Узбекистан и зарубежных стран. Кроме того, в статье были обсуждены вопросы закрепления в законодательстве норм, гарантирующих гендерное равенство, насколько оно работает на практике, а также социальные факторы, которые могут негативно повлиять на реализацию гендерной политики, проводимой государством. Чтобы доказать эти проблемы конкретными фактами, автор провел анонимный социальный опрос среди более чем 300 респондентов. В результате исследования была изучена и проанализирована проблема гендерных стереотипов в трудовых отношениях. Кроме того, в статье были обсуждены женские и мужские профессии, проблема их укоренения в сознании нашего общества и их негативное влияние на профессиональную деятельность и рост женщин. В данной статье автор анализируя влияние гендерных стереотипов на жизнь и деятельность женщин, в частности на случаи дискриминации в отношении них при приеме на работу, выборе профессии и трудовой деятельности сделал соответствующие выводы и предложения в законодательство.

BACKGROUND

Most legal systems are based on a hierarchical structure of legal acts, with the constitution at the top. All legislative and other legal measures of the state must be compatible with the constitution. If a legislative or other legal measure adopted by the state is not in accordance with the constitution, then it must be declared invalid by the competent judicial authority.

Human rights are central to the constitutional order of the modern state, not only defining the relationship between individuals, groups and the state, but also running like a red thread through state structures, decision-making and control procedures. At the same time, gaps in the implementation of human rights at the national level, whether individual or, where appropriate, collective rights, are often the result of deficiencies in constitutional law.

The link between human rights and the democratic constitutional order begins with the process leading to the adoption of a constitution or constitutional reform. Such a process promises to be successful if it is based on the broad participation of representatives of all sectors of society. Participants may be able to express their views and communicate with each other without any hindrance from those in power. Gender equality is one of the fundamental international legal and constitutional principles of the position of the individual in a modern democratic state [1]. In this regard, it should be noted that today in the modern world there is an acute issue of achieving gender equality by states, in order to achieve a full-fledged civil society and a democratic state. The content of the concept of gender equality assumes that both men and women in any aspect, be it intelligence, physical strength, or ability to specific types of labor, are not inferior to each other [2]. States include the concept of gender equality in their constitutions to show the world community about the priority of this issue.

It should be noted that the Constitution of the Republic of Uzbekistan includes several articles that guarantee gender equality in all spheres of our society. For example, article 18 states that “All citizens of the Republic of Uzbekistan have the same rights and freedoms and are equal before the law without distinction of sex, race, nationality, language, religion, social origin, beliefs, personal and social status”, also, article 46 states that “Women and men have equal rights”. In addition, Article 37 states that “Everyone has the right to work, to free choice of work, to fair working conditions and protection from unemployment in the manner prescribed by law” [3]. The above norms, enshrined in the Constitution of our state, laid the foundation for the adoption on September 2, 2019 of the Law of the Republic of Uzbekistan “On Guarantees of Equal Rights and Opportunities for Women and Men”. The law, namely Article 3, enshrines the concept of direct discrimination based on sex, which means any distinction, exclusion, or restriction that is aimed at not recognizing women and men of their rights and freedoms in all spheres of society, including discrimination based on marital status, pregnancy, family responsibilities, as well as sexual harassment, different pay for equal work and qualifications [4]. Based on this, it can be determined that in the legislation of our state, the issues of gender equality are enshrined at all levels and the implementation of these rights is the responsibility of the legislative, executive and judicial branches of government, law enforcement and law enforcement agencies [5]. In addition, as it was noted, a solid legal basis for the equality of women and men has been created in the country. Their equality is guaranteed by the constitution. Gender equality is also

provided for in labor legislation. However, despite this, in fact, women's opportunities to gain a decent place in the labor market in some areas are limited [6]. A fair question arises, do these norms work in practice? What barriers do women face in exercising their right to work? To do this, the author analyzed the experience of foreign countries. Is there the same problem abroad?

It is known that gender equality was often defined mainly in connection with the opportunities for women in the labor market, both by scientists and politicians [7]. Gender inequality in terms of women's opportunities and participation in economic activities has become an important issue for developing countries. This is partly due to the potential negative impact of women's exclusion from employment on both sustainable growth and poverty reduction. Therefore, it is not surprising that gender equality and the empowerment of women is one of the main attributes of the United Nations Millennium Development Goals (MDGs). This is also the reason why gender equality is on the public policy agenda of almost every country in the world today [8].

Article 14 of the 2009 Constitution of the Plurinational State of Bolivia states that "The State prohibits and punishes all forms of discrimination based on sex, color, age, gender identity, origin, culture, nationality, citizenship, language, religious belief, ideology, political or philosophical views, civil status, economic and social status, occupation, educational level, disability, pregnancy or other grounds, the purpose or effect of which is to diminish or deny the recognition, enjoyment or exercise, on an equal basis, of the rights of every person" [9]. Also, Article 24 of the Constitution of Malawi, as amended in 2010, provides that "Any law that discriminates against women on the basis of gender or marital status shall be null and void, and a law should be enacted to abolish customs and practices that discriminate against women, especially such practices such as a) sexual abuse, intimidation and violence; b) discrimination in the field of work and in the implementation of entrepreneurial and social activities; and c) deprivation of property, including property received as a result of inheritance" [9].

The still-existing gender inequality around the world is explained by the influence of the patriarchal system, which confirms the dominance of men over women. This is based on gender stereotypes that have been formed in the minds of people and the public for centuries.

Western countries are distinguished by their liberal-democratic views. However, even in these countries, gender stereotypes continue to influence recruitment and employment. McKinsey's study [10] notes that little progress has been made in recent years in improving the representation of women in the American workplace [11]. In the US, the State of Pay Report [12] (2019) found that in 41% of cases, companies only interviewed men for a specific task. Recruiters and hiring managers also preferred to interview male candidates (even though their qualifications were the same) rather than female candidates.

Successful completion of the interview phase does not guarantee equal opportunities for women. It is noted that companies tend to offer more jobs to men than to women. According to the employee wages report, 60 percent of men are paid more than women in a similar position in the company. In addition, women negotiate less than men, making the question of wages 61 percent less. According to these studies, women who negotiate wage increases are categorized as "low-empowered".

It should be noted that the events of 2020 have turned the workspace on its head. In the extremely difficult conditions of the COVID-19 pandemic, many employees struggled to do their jobs. They began to worry about the health and finances of their family.

Women were especially hard hit. The pandemic has exacerbated the problems women already faced. Working mothers always worked “two shifts” – a full-time job followed by hours devoted to childcare and housework. The support that made this possible, including school and childcare, has been turned around. As a result of this dynamic, more than one in four women are considering what many would have thought unthinkable just a few months ago: changing careers or leaving work entirely. This is an emergency for the whole world. Companies risk losing women leaders – and future women leaders – and rolling back years of painstaking progress towards gender diversity.

The issue of gender stereotypes as the main obstacle to achieving gender equality should be brought to the level of state policy. Gender stereotypes are known to have a significant impact on women in all areas of their lives.

President of Uzbekistan Shavkat Mirziyoyev, speaking in the Senate in June 2019, spoke in favor of increasing the role and status of women in the public and political life of the country. “I am concerned about the stereotype that is rooted in the minds of our people. Usually, we revere a woman first of all, as a mother, the keeper of the family hearth. However, today every woman should not be a passive observer, but an active and proactive participant in the democratic transformations taking place in the country,” he said. The head of state acknowledged that “due to the lack of attention over the years to the needs and concerns of women, today, frankly speaking, the solution of accumulated social problems in this area is not easy”. However, he assured, “no matter how difficult this task may be, we will mobilize all our forces and capabilities to create decent living and working conditions for our women” [13]. The question arises, what are gender stereotypes and how do they affect women?

Gender stereotypes are standardized representations of behavior patterns and character traits that correspond to the concepts of “male” and “female”. Gender stereotypes are associated with the strengthening of certain social roles in the family, professional, and other areas. Women are usually assigned family roles as their main task – as a mother, housewife, spouse, and daughter-in-law, while men are assigned professional roles. In today’s society, men are often judged on the basis of their achievements in the profession, and women – on the basis of the presence of a family and children. Unfortunately, in our society, this attitude towards women and men is firmly rooted in the minds of people.

The negative impact of gender stereotypes can be observed in the family: strict social requirements regarding gender roles imposed on women to dedicate themselves only to the family, raising children, and household chores, preventing them from demonstrating their professional potential.

The greatest danger of the negative impact of gender stereotypes in various spheres of society is the emergence of gender prejudices (stereotypes about the gender bias of women or men) based on them. An unreasonably negative attitude towards a group or person, depending on their gender, is a gender prejudice, and if a stereotype is “thinking”, then prejudice is a step towards action [14].

If employers hire only men, then this is discrimination against female candidates. And vice versa. The conclusion that “only mothers can take care of the child and provide proper care” is discrimination against fathers. If gender stereotypes express opinions,

views, and assessments about the differences between men and women, then these stereotypes include discriminatory attitudes towards certain sex, and in many cases, such attitudes are reflected in practice [14].

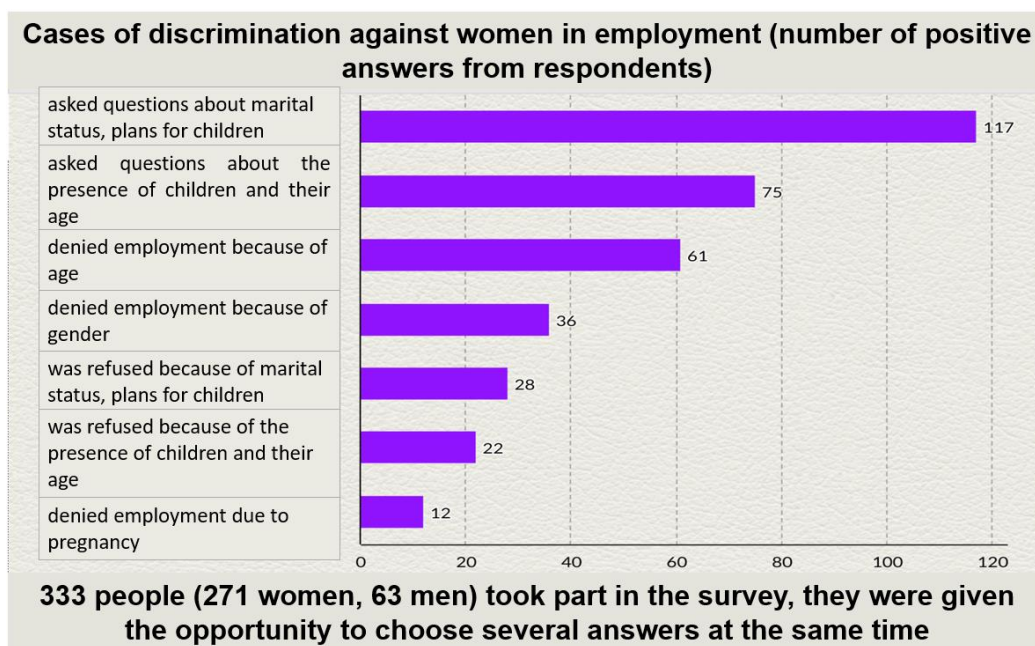
METHODS

This desk research was conducted using social surveys, interviews, analysis of relevant articles, documents, media materials on gender inequality in labor relationships, statistics, and special reports. All documents related to the legislation of Uzbekistan are taken from open sources.

This study aims to shed light on gaps and inconsistencies in legislation on gender issues, on economic, legal, and sociocultural stereotypes that hinders women of fair representation of women in labor relationships, and offer appropriate recommendations to address the identified problems.

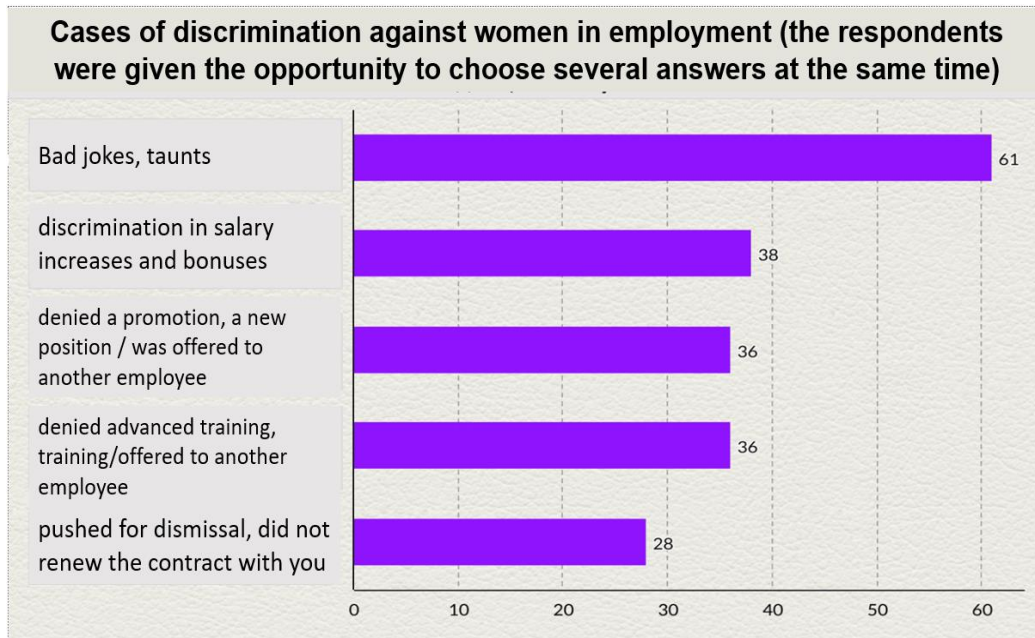
RESULTS

To determine the level of discrimination against women in the recruitment process and their work life, the author conducted an anonymous survey in Google Forms on the topic “Gender inequality and the impact of stereotypes on the recruitment process/career choice”. The survey was published among subscribers of the NeMolchi.uz (Sukut Saqlama) Telegram channel and Facebook pages, as well as on the MyTSUL telegram channel and Instagram pages. The study involved 333 respondents aged 16 to 63 years (271 women, 63 men). Of the respondents, 103 reported discrimination in the recruitment process.



Dinara Atajanova, Ph.D. in Law, commented on these issues in her scientific papers as follows: “Cultural factors influence the role of women in the family and at work in Central Asia. Housework is considered women’s work in almost all low-paid jobs in the informal sector. By its very nature, this type of traditional domestic work leaves women vulnerable to economic shocks, spending less time reading and learning. The fact that women marry leads to discrimination in labor relations. This means that an employer who hires women of marriageable age does not want to conclude an employment contract with them, taking into account future guarantees and benefits provided for in the legislation on motherhood when

providing them with working conditions, and decides in favor of another person. At a time when the private sector is developing in our country and conditions for entrepreneurship are being created, such guarantees in a sense “frighten” an entrepreneur who has just started his business. Therefore, in my opinion, it would be advisable to provide employers with benefits or preferences in accordance with tax legislation when hiring women and persons with family responsibilities”.



The results of the above survey show that the impact of gender stereotypes in our society is significant. Unfortunately, these stereotypes significantly restrict women’s right to work, which indicates that certain barriers to their professional growth persist.

The author asked women working in various fields about the influence of gender stereotypes on their professional activities:

Have you encountered gender stereotypes during your professional career?

Iroda Shamsieva – Candidate of Historical Sciences, Associate Professor of Tashkent State University of Oriental Studies:

Unfortunately, I did. For example, when I worked in one of the higher educational institutions, the head of the organization interfered with friendly relations between female workers, that is, he used his position to interfere with my personal freedom, for example, with whom to be friends, thus showing that he was a “man” here and “master”. The constant and obscene interference in my friendship with my female colleague had a negative effect on my work life and led me to change jobs. Later, my colleague was also forced to move to another organization.

Shirin Tulaganova – lawyer:

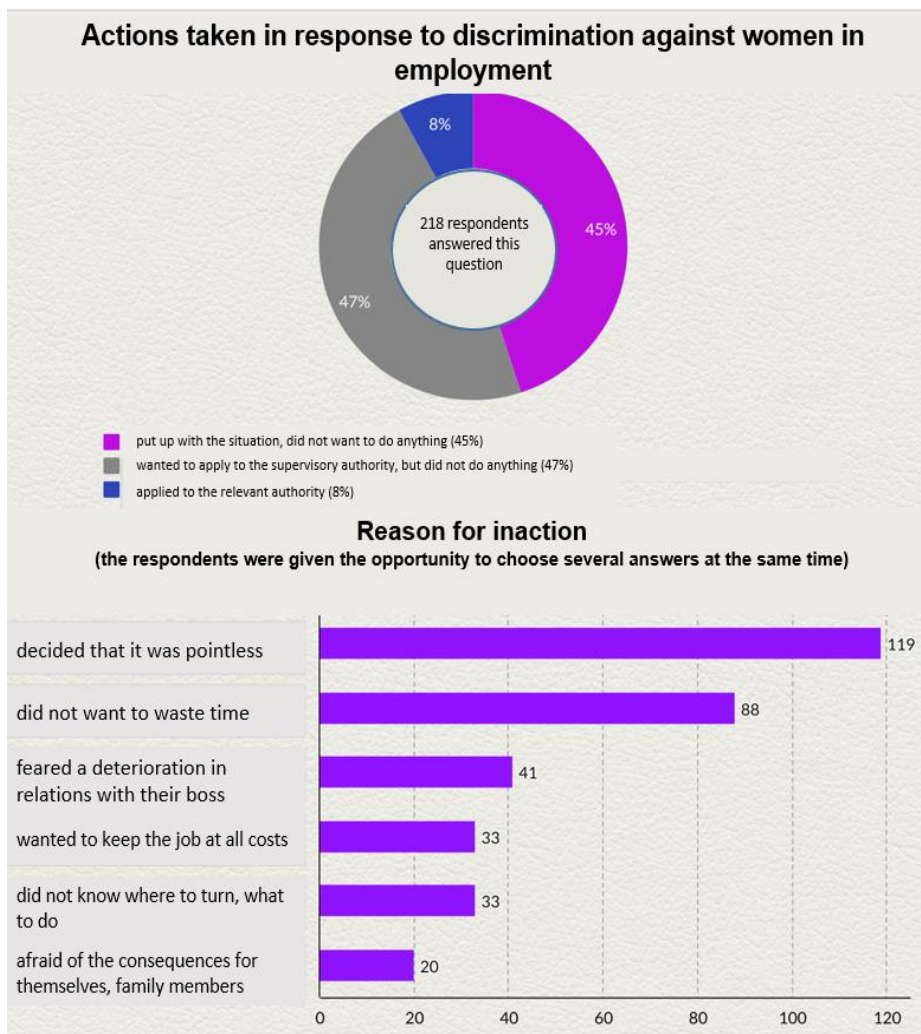
Of course, I did. This is especially difficult for women working in government agencies. The reason is that most leaders are men. This, in turn, creates many obstacles. For example, the participation of women in delegations to foreign countries is low, and there is a stereotype that a male leader prefers to have a predominantly male staff. The reason is that, male executives consider that a woman is less useful, because she leaves on time for her family duties, and, as male staff, cannot stay until 22-23 pm. Mostly men are also appointed to leadership positions, which in turn prevents women from reaching the top of their careers.

Have you been discriminated by your boss or colleagues?

Iroda Shamsieva: – *There was discrimination on the part of the leader, though not much. For example, my boss in an academic organization, to put it mildly, did not want women to grow professionally and academically, and did not like active and educated women. Although he did not strictly forbid it in practice, it was evident in his gestures and words.*

Shirin Tulaganova: – *I was not discriminated by my colleagues. However, I was discriminated by my boss several times. In most cases, this is probably due to circumstances related to my professional activities. I somehow wanted to get a good job and went for an interview. There I was asked: “It turns out that you have one child, do you want to have another one in the near future?” I replied: “Yes, I want”. The next day they refused me and said that they want to see “more men for this vacancy”. According to them, male workers do not go on “maternity leave” like women, and do not ask for “time off” for such reasons as “child”, or “home”. Therefore, they stated that they prefer employees who work regularly until late. Interestingly, as a lawyer, I understood that such a response was “gender discrimination”, but as a woman, I accepted this answer as “normal” and did not take any action.*

Most women face gender stereotypes and discrimination in employment and employment. But there is an unwritten “law” in our society, in which it is considered unacceptable to speak openly on such a topic. Often women prefer to remain silent in such situations. This is due to the fact that a woman is brought up from a very early age in the spirit of “tolerance” to difficulties, and not protest, and as a result, similar situations can be repeated.



When asked what actions were taken, 100 respondents answered that they themselves quit, 30 moved to another department, 14 turned to the administration, and 11 – to the trade union and the personnel department. The rest “got used” to the situation or “didn’t take any action”.

The results of the study show that women practically do not respond to gender inequality observed in hiring and at work. As long as this “silence” continues, women will remain “victims” of gender stereotypes in the shadows.

Gender stereotypes also influenced women’s and men’s career choices. For example, when we say firefighter, we mean a man, but the profession of a nurse is only for women. In fact, this is nothing more than stereotypical thinking. Many people have long formed an opinion about which professions are suitable or not suitable for women and men. For example, in our society, it is often said that professions such as architect, driver, and engineer, belong to men, and professions such as teacher, doctor, and nurse belong to women.

Studying the experience of neighboring states, in particular the Republic of Kazakhstan, it should be noted that there have been practically no changes in sectoral gender segregation. Women still make up over 70% of employees in health, education, and social services, while women’s representation in the financial and public sectors is slightly more than half. Historically, these sectors have been less profitable than “male” sectors such as construction, oil and gas, extractive industries, and transport [15]. In addition, gender discrimination in the labor market is complex: when hiring or firing, restricting access to certain professions and positions, in matters of promotion and career growth, and when remuneration is paid for performing the same work [16]. Also, discrimination is especially merciless against pregnant women and women with small children. Studies show that women are still less likely to be hired than men [17].

In addition, wage policies and employment segregation (women who work more in “traditional” jobs) are at the heart of the gender pay gap in Switzerland. Women are overrepresented in low paid positions. Women in senior positions earn less than men of the same level [18]. Also, the average annual income of women in the US is 77% of that of men, although the wage gap is narrowing. Compared to men, women are more likely to interrupt their careers and work part-time. Women usually occupy low-paid positions. The largest pay gap between men and women is found in financial services, with women with an MBA earning \$4,600 less in their first job than comparable men [19]. It follows that the problems of gender inequality in all its manifestations in labor relations exist all over the world.

Dinara Atajanova in her scientific work commented on this issue as follows: “The fundamentals of the approach to the equality of women and men go far into the past. Since ancient times, women have been considered “housewives”, and the persistence of such primitive views is also observed in the modern globalization of the 21st century. One of the most striking examples of our mentality is that we send girls from childhood to “female” professions, such as doctors and teachers. Since teachers and doctors work part-time, it is believed that these professions do not prevent them from performing family responsibilities together. As a result, in a sense, girls aspire to become teachers and doctors because of their imitative approach to future careers. Even when women’s labor rights are guaranteed, society often appoints male workers to positions of great responsibility. That is, society sees women, not in positions such as deputies,

judges, and heads of departments, but as seamstresses, secretaries, heads of small businesses, nurses, or “lifetime” teachers in schools. This situation, that is, the division of professions into “female or male”, leads to occupational segregation. In a sense, such an attitude can be called a positive attitude in the form of the “protection” of a woman. However, in modern conditions of globalization, the way of life of all women, and their role in the family do not coincide with the traditional. In this case, the above treatment of women in the form of “protection” leads to discrimination in labor relations”.

In addition, there are often different approaches to raising a girl or a boy in a family. Boys are often brought up to be brave and fearless, claiming their rights, not hiding their feelings, taking control, while girls are brought up to be thoughtful, obedient, forgiving, and patient, refraining from expressing their opinions and standing up for their rights. As a result of this stereotypical approach, we often see male leaders and female executives.

Stereotypes when choosing a profession			
№	Questions	Answers	Number of respondents
1.	The choice of your profession depended on your gender?	Yes	115
2.	What profession did your family suggest you choose	Doctor	49
		Teacher	58
3.	What was the rationale behind your family's proposal?	They said that this is the best profession for a woman / man	72
		They said that the work schedule is "convenient" and you can have time to do your homework	49
4.	Would you like to be in a leadership position at your job?	Yes, but my husband won't allow me	14
		No, it's not for women	16
		Yes, but only men are promoted to such positions	37

The results of the study show the importance of the role of gender stereotypes in choosing a profession. The fact that many women choose more “feminine” professions, or in many cases women do not aspire to leadership positions, also, the prohibition of a woman from working by her husband or family is considered commonplace for many people. And unfortunately, this is reflected in the photographs of government meetings in Uzbekistan, where in most cases men predominate. There are catastrophically few women in the government of the country. The situation is similar in the spheres of economy, science, information technology, etc. [20].

CONCLUSION

In conclusion, it should be said that the family is the main reason why gender stereotypes, leading to gender discrimination, occupy a strong place in the minds of young people. In most Uzbek families, women do not study or work without the permission of their husbands, and even when children ask their mothers for something, they say: “It will be as your father says”. As a result, children develop the notion that “my father is more important than my mother” or “my father’s opinion is more important than my mother’s opinion”. As a result, ingrained gender stereotypes in their minds influence their lives.

The author is far from thinking that only the family or the environment is responsible for the formation and consolidation of gender stereotypes in the minds of young people and adults. The role of the media in promoting gender stereotypes is also very important. For example, the program “My mother-in-law is a general”, aired on the Sevimli TV channel, reflects the most discussed relationship between mother-in-law and daughter-in-law in our society. In this program, the image of the “ideal bride” is formed by the fact that the brides prepare and actively do all the housework on time. The issues of the rights of the bride as a member of the family, her leisure, her upbringing, her development as a person, and her professional activities are not raised at all in the program. Only the role of the woman in the family is discussed, and it is said that the bride must be dependent on other family members. This contributes to the spread of gender stereotypes in our society and reinforces the acceptance of gender inequality in society as a norm.

In the examples above, we would like to emphasize that women should be widely promoted not only as spouses, brides, mothers, and housewives but also as individuals who have the right to professional development. It’s no secret that most men don’t like women who openly fight for equality. There is also the fact that most women in our society do not strive for equality (the author does not mean to discriminate against any woman). In my opinion, this is why gender discrimination against women in the process of employment or work is considered “normal”, and these stereotypes are ingrained in society. However, we believe that society should be aware of what legal consequences such actions can lead to.

Summarizing the above, it is advisable to make the following suggestions. In order to carry out targeted activities to overcome gender stereotypes and gender inequality in the minds of the Uzbek society, some additions should be made to the Law of the Republic of Uzbekistan “On Guarantees of Equal Rights and Opportunities for Women and Men”. First, the notion of “gender stereotypes” should be included in Article 3 (Basic Concepts), in order to understand the consequences of the influence of these stereotypes on people’s lives. Secondly, Article 9 (Main Directions of State Policy in the Sphere of Ensuring Equal Rights and Opportunities for Women and Men) should be supplemented with the following: “Protection of society from information that promotes asserts, strengthens gender stereotypes aimed at direct and indirect discrimination based on sex, countering the dissemination of such information through the media. The above examples show that the media has a great influence on people’s minds, in this regard, certain steps should be taken toward the formation of gender-sensitive television in order to prevent the strengthening and spread of gender stereotypes.

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