

HUMAN RIGHTS IN KYRGYZ REPUBLIC

UPR Info Pre-sessions

The right to live a life free of domestic violence

- 89 countries formulated their 232 recommendations for Kyrgyzstan within the framework of the UPR on 20 January, 2020. 66 recommendations were on protection of women's rights, gender equality and gender-based violence, the topic is among the top 5 topics.
- Despite the progressive legislation in the field of gender equality, the activity of the women's movement and human rights civil movement, the society of modern Kyrgyzstan is returning to patriarchal gender and religious stereotypes.
- According to the Beijing +30 report, two forms of violence were identified in the KR that need to be prioritized by the state:
 1. domestic family violence committed in the family,
 2. child and forced marriages.

Statistics: in 2022-2024, 34 young women died as a result of domestic violence in the KR. According to the MIA of the KR, there was a 22% increase in domestic violence in 2024.

328 criminal cases have been initiated on the facts of domestic violence, about 54% of the cases have been sent to court, and almost 30% of pre-trial proceedings have been terminated.

The increase in cases of domestic violence requires the Government to take decisive action.

Recommendations - Issue 1

1. Identify and legally enshrine one government body out of 17 actors, in accordance with the legislation, for the prevention and protection from GBV.
2. Create a consolidated system for collecting disaggregated data on cases of gender-based violence.
3. Monitor the implementation of the Law on the Prevention and Protection from Family Violence and the Code on Misconduct regarding family violence.
4. Amend the existing legislative framework aimed at prohibiting direct and indirect contacts between criminals and victims of GBV during the period of the Protection Order. Also, penalties should be introduced for non-compliance with these requirements.
5. Exclude the possibility of applying probation to persons convicted of serious gender-based crimes.
6. Adequate budgeting of the implementation of the Law of the KR on the Prevention and Protection from Family Violence.
7. Focus on overcoming discriminatory cultural norms, developing gender sensitivity, and explaining the importance of an unbiased and victim-centered approach to GBV.

The right to live a life free of domestic violence: early forced marriages

66 recommendations were provided for Kyrgyzstan on the protection of women's rights and gender equality within the framework of the UPR on 20 January, 2020. 17 recommendations directly address the issue of early marriage. Partially implemented - 12, not implemented - 5.

Kyrgyzstan has a sufficient regulatory framework for regulating the issue of early marriage. The Cabinet of Ministers of the KR has developed an Action Plan for the prevention of child and forced marriages for 2023-2024. A new version of the Family Code is being developed, which provides for a ban on lowering the age of marriage. However, additional measures are needed. The legal age for marriage in Kyrgyzstan is set at 18.

According to the CIS Statistical Committee, Kyrgyzstan ranks second after Azerbaijan in the number of births to females aged 15-19. According to the Statistical Committee of the Kyrgyz Republic, 13% of all marriages are concluded at an early age. Thus, according to the NSC of the KR, 68 cases were initiated in 2022 for violating the law on the age of marriage during religious ceremonies.

The reasons for the persistence of the phenomenon of early marriage:

- strengthening of negative traditions, as well as patriarchal lifestyle;
- financial difficulties of families and poverty;
- the rise of religious fundamentalism;
- ineffective enforcement of existing legislation on early marriage.

Recommendations – Issue 2

- Amend the Law of the Kyrgyz Republic on Freedom of Religion and Religious Organizations so that the consecration of marriage according to Muslim customs in a mosque should be carried out only after a civil registration in the civil registry office.
- Exclude the possibility of reconciliation of the parties in cases of violation of the laws on the age of marriage or in cases of committing "rape" or "sexual violence".
- Remove the provision on lowering the age of marriage from the Family Code of the Kyrgyz Republic.
- Conduct an inventory of the Law of the Kyrgyz Republic on Probation regarding the application of probation to crimes against minors.
- Develop, adopt and finance a State Program for the Prevention of Early Marriage.
- Create an interdepartmental Working Group of experts, NGOs, scientists and specialists from responsible government agencies to discuss, develop and monitor Action Plans in accordance with the above-mentioned State Program to address the problem of early marriage and early motherhood.
- Adopt a program of interaction with religious organizations, according to which informational, educational and practical activities should be carried out with them on a systemic basis.
- Focus on overcoming discriminatory cultural norms and developing gender sensitivity, especially among law enforcement officers.

The right to live a life without violence and the safety of women: (post)conflict and emergency situations.

For Kyrgyzstan, the importance of implementing UN Security Council Resolution 1325 became apparent after the ethnic clashes of 2010, when insufficient consideration of gender aspects in conflict prevention was revealed. In recent years, security and peacekeeping issues in Kyrgyzstan, especially in the context of border problems with Tajikistan, have become particularly relevant.

In the context of the post-Soviet space and new security challenges in Central Asia, such as extremism, armed conflicts, global climate change and water scarcity, the involvement of women in peace-building and conflict prevention processes is becoming particularly relevant.

Kyrgyzstan consistently integrates the Women, Peace and Security agenda into its national action plans. The period of the 4th Action Plan (AP) has now ended. The fulfillment rate of all APs was between 60% and 80%, which indicates a positive trend.

At the same time:

- National policy documents on security, conflict prevention, reduction of radicalism and religious extremism, interethnic conflicts, and border conflicts are not built around the rights of women and girls and their safety.
- Lack of budgeting for the implementation of the Plan at the national and local levels.
- There remains a gap between the national and local levels in the implementation of women's rights and the Women, Peace and Security (WPS) agenda.
- Local levels of the WPS agenda implementation depend on local specifics: religious, ethnic, educational, cultural, environmental, borders, etc.
- Local community development plans focus on infrastructure, ignoring gender-specific aspects of security.
- The leadership in the implementation of AP 1325 is not held by the authorized body, the Ministry of Internal Affairs. The role of the authorized body is limited to the collection and consolidation of reports of the NAP 1325 implementers.
- Government agencies note the lack of practical experience in interagency cooperation to prevent, combat and respond to GBV in emergency and crisis situations.

Recommendations – Issue 3

- Increase the political will through the involvement of key government leaders and international partners.
- Integrate issues of the Women, Peace and Security (WPS) agenda into the regulations of the Jogorku Kenesh (Parliament).
- The MIA, as an authorized body, should provide methodological, analytical and facilitation resources for other performers.
- Eliminate existing gaps and barriers between the national and local levels in the implementation of government programs on WPS.
- Promote the localization of NAP 1325, as well as links with local development plans and budgets, and take into account the specifics of border areas and areas with an increased risk of natural crises. Localization of the NAP should be accompanied by increased awareness at the local level in both rural and urban areas.
- Include activities under UN Security Council Resolution 1325 in local development programs/plans.
- Include the topic of WPS in educational programs for government officials at all levels, including the municipal level. Include the assessment of competence of government officials on the WPS issues and their awareness of the national policies in this area in the process of their certification and attestation.
- Promote the increased participation of women in the security and justice sector with a view to their active participation in protecting the rights and legitimate interests of various parties in law enforcement practices related to the WPS agenda.
- Improve the legal framework governing the activities of CSOs in order to create a favorable environment, eliminate barriers to registration and operationalization of CSOs involved in WPS.
- Include support for the implementation of WPS in state social contracts for CSOs.

Thank you

From all the members of our coalition:

- ❑ A
- ❑ B
- ❑ C
- ❑ D