

COMPLIANCE
OF THE OMBUDSMAN
INSTITUTE WITH THE PARIS
PRINCIPLES

KYRGYZSTAN

The Institute of the Ombudsman of Kyrgyzstan was established in 2002

- It is a constitutional body and authorized to carry out parliamentary monitoring of human rights
- Under the 2nd circle UPR, recommendations for compliance with the Paris Principles are given by the following states:
 - **Afghanistan,** - **India,** - **Jordan,**
 - **Kenya,** - **Sierra Leone,** - **Turkey**
- In 2012, the International Coordinating Committee of National Human Rights Institutions accredited the Ombudsman of Kyrgyzstan in the “B” status - i.e. incomplete compliance with the Paris Principles

Bringing legislation regulating the activities of the Ombudsman in line with the Paris Principles

Follow up recommendations

- In 2017, with expert participation and support, a draft (new) Law on the Ombudsman of the Kyrgyz Republic was developed.
- This draft law passed 1 reading in the Jogorku Kenesh of the Kyrgyz Republic (Parliament) and the concept of the draft law was approved and adopted in the 1st reading.

RECOMMENDATION

In order to bring the Law on the Ombudsman of the Kyrgyz Republic in line with the Paris Principles, complete the review and adopt the corresponding draft law

Kyrgyzstan's follow-up to the Human Rights Committee's Views on Individual complaints

- **The UN Human Rights Committee has issued 24 individual communications in relation to Kyrgyzstan as of January 2019.** In 20 of which the Committee acknowledges a violation of the rights enshrined in the ICCPR, 2 are unacceptable, 1 is no violation, 1 is discontinued due to the author's refusal to provide answers to the committee's requests.
- In order to comply with the Committee's views, it is necessary to conduct a new trial, investigate all the allegations of the author, provide appropriate compensation and prevent similar violations in the future.
 - in 2 cases, the authors were paid compensation in the amount of 200 thousand soms (~\$2900USD).
 - in 1 case, a new judicial review was carried out, some charges were reviewed, according to which the sentence was reduced in connection with the introduction of new criminal legislation from the 01.01.2019, however, the main punishment – is life imprisonment – remained unchanged

Kyrgyzstan's follow-up to the Human Rights Committee's Views on Individual complaints

- Those responsible for the violations have not been identified and not punished.
- Compensation to the authors of the complaint paid from the state budget is not reimbursed at the expense of those responsible for violations.
- In order to fulfill the Committee's Views, it is necessary to conduct a new trial, investigate all the allegations of the author, provide appropriate compensation and prevent similar violations in the future

Recommendation:

- A thorough investigation is necessary for all human rights violations reflected in the Committee's Views, those responsible for violations must be punished regardless of the limitation period of violations and the current position of the violators
- Compensation paid from the state budget to the authors of the communication should be reimbursed at the expense of those responsible for the violation of human rights

Thus, the inevitability of punishment for human rights violations will help prevent similar violations in the future.



Thanks for your attention!

Institute of the Ombudsman
of the Kyrgyz Republic