

Rights of ethnic minorities, rights of women in the Kyrgyz Republic

The right of ethnic minorities to participate in the public and political life of the state

Participation of various ethnic communities in the public and political life of the country and their representation in government at all levels is declining. Despite the fact that the legislation provides equal opportunities to different groups, in recent years the number of representatives of ethnic communities, for example, in the Parliament of the Kyrgyz Republic has decreased: 20% in 2007, a bit more than 10% in 2019, the representation in law enforcement agencies decreased from 13% to 6%.

Recommendations:

- The State Agency for Local Government Affairs and Inter-Ethnic Relations (GAMSUMO) should become an authoritative and effective state body that protects the rights of ethnic groups and empowers them;
- The state should implement its personnel policy, taking into account the ethnic diversity of the population of Kyrgyzstan;
- Representation of ethnic minorities in state bodies, local self-government bodies and judicial bodies should be ensured, particular attention should be paid to ensuring their representation in law enforcement bodies (police, prosecutor's office);
- Consider adopting quotas for ethnic minorities in employment and education;

The right to education and public participation of ethnic minority women and girls

Violations of the rights of children and women living in places of compact residence of ethnic minorities are increasing: early marriages, forced and contractual marriages, domestic violence, imposing religious education at the expense of compulsory secular education, girls dropping out of high school, restricting access to information and education for ethnic minority girls and women.

Recommendations:

1. The state should pay attention and respond to the violations of the rights of ethnic minority girls and women, especially in places of their compact residence.
2. Amend the Law "On Education" introducing compulsory full secondary education.
3. Increasing young people's motivation to receive secular education.

The right to life without domestic violence

The data presented by the Government Office and the Ministry of Internal Affairs of the Kyrgyz Republic indicate the growth and criminalization of domestic violence and its worsening consequences for the health and life of women and children.

Reasons:

- Lack of human and financial resources to implement laws on gender-based violence
- Lack of effective state measures to provide assistance to victims of violence as well as effective penalties for perpetrators of violence
- Strong influence of traditions, patriarchal society

Recommendations:

- *Provide adequate budgeting for implementation of the law of the Kyrgyz Republic "On Defense and Protection against Domestic Violence".*
- *Monitor the implementation of the law "On Defense and Protection against Domestic Violence" and the Code of Offences (the part on family violence).*
- *To legally secure the authorized body of the Ministry of Labor and Social Development to control implementation of these Laws.*
- *Introduce amendments to the Code of Criminal Procedure of the Kyrgyz Republic regarding the specifics of considering criminal cases on gender crimes.*
- *Create state and municipal crisis centers for women and children.*

Access to justice for girls and women in cases of sexual violence

Victims of sexual violence encounter serious barriers trying to get access to justice. An analysis of judicial practice shows that a significant part of rape cases is being closed: cases of adult women - 60%, minor girls - 32%, little girls - 21%. There is a high degree of latency due to the inefficiency and corruption of law enforcement and judicial authorities, as well as the reluctance of the victims themselves.

Recommendations:

- Amend the Penal Code so that it complies with the requirements of CEDAW and the Istanbul Convention;
- Amend the Criminal Code, i.e. its part on ending cases of sexual violence based on reconciliation of the parties;
- Provide training for investigators, prosecutors and judges in accordance with a gender-sensitive methodology for investigating cases of sexual violence;
- Provide effective remedies and rehabilitation to victims of sexual violence, including to victims of intersecting forms of discrimination and those belonging to vulnerable groups (women with disabilities, ethnic minorities, women engaged in prostitution, LBT women);
- Maintain disaggregated statistics on forced marriages, bride kidnapping and marital rape, as well as comprehensive statistics on all forms of sexual violence, disaggregated by sex, age, relationship with the offender, ethnicity and affiliation with any vulnerable group.