

Kyrgyz Republic 2023 Human Rights Report

Executive Summary

There were no significant changes in the human rights situation in the Kyrgyz Republic during the year.

Significant human rights issues included credible reports of: use of torture by law enforcement and security services; harsh and life-threatening prison conditions; arbitrary arrest; serious problems with the independence of the judiciary; arbitrary interference with privacy; serious restrictions on freedom of expression and media freedom, including violence and threats of violence against journalists, and censorship; serious restrictions on internet freedom; substantial interference with freedom of association including overly restrictive laws on the funding and operation of nongovernmental and civil society organizations; government corruption; extensive gender-based violence; crimes involving violence or threats of violence targeting members of minority groups; crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, queer, and intersex persons; significant restrictions on workers' freedom of association; and the existence of the worst forms of child labor.

While the government took steps to investigate and prosecute or punish officials known to have committed human rights abuses, official impunity

remained a problem.

Section 1. Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were no reports that the government or its agents committed arbitrary or unlawful killings, including extrajudicial killings.

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, and Other Related Abuses

The law prohibited such practices. Nevertheless, physical abuse, including inhuman and degrading treatment, reportedly continued in prisons. Police abuse reportedly remained a problem, notably in pretrial detention and detention facilities under the control of the State Committee for National Security (GKNB).

Defense attorneys, journalists, and human rights monitoring organizations, including Golos Svobody, Bir Duino, and international nongovernmental

organizations (NGO) Human Rights Watch (HRW) and Transparency International, reported incidents of torture by police and other law enforcement agencies. Through September the Antitorture Coalition (an NGO) reported 95 allegations of torture registered in the National Unified Crime Register. According to the Antitorture Coalition, only four cases of torture went to court, with one resulting in a guilty verdict and a fine. NGOs stated that the government established strong torture-monitoring bodies but that influence from some parts of the government threatened the independence of these bodies.

The Antitorture Coalition also accepted complaints of torture and passed them to the Prosecutor General's Office to facilitate investigations. According to members of the Antitorture Coalition, the cases it submitted against alleged torturers did not lead to convictions.

In cases where prosecutors tried police on torture charges, prosecutors, judges, and defendants routinely raised procedural and substantive objections. These objections delayed the cases, often resulting in stale evidence, and ultimately contributed to case dismissal.

NGOs reported that courts regularly accepted as evidence confessions allegedly induced through torture. The human rights NGO Bir Duino reported that the police continued to use torture to elicit confessions, and that courts often dismissed allegations of torture, claiming that the defendants were lying to weaken the state's case. Defense lawyers stated

that once prosecutors took a case to trial, a conviction was almost certain.

According to Golos Svobody, investigators often took two weeks or longer to review torture claims, at which point the physical evidence of torture was no longer visible. Defense attorneys presented most allegations of torture during trial proceedings, and the courts typically rejected them. In some cases, detainees who filed torture complaints later recanted, reportedly due to intimidation by law enforcement officers.

Prison and Detention Center Conditions

Prison conditions were harsh and sometimes life threatening due to food and medicine shortages, overcrowding, substandard health care, lack of heat, and mistreatment.

Abusive Physical Conditions: Pretrial and temporary detention facilities were particularly overcrowded, and conditions and mistreatment generally were worse than in prisons. Authorities grouped juveniles in overcrowded temporary detention centers when other facilities were unavailable.

NGOs reported that, in some cases, prison gangs controlled prison management and discipline where prison officials lacked capacity and expertise in operating a facility. In some instances, the gangs controlled items that were brought into the prison, such as food and clothing, while some prison officials allegedly ignored such activity. According to NGOs, authorities did not try to dismantle these groups, believing they were too

powerful and that removing them could lead to chaos.

Inmates reported they did not have access to appropriate medical care in prisons, including medications. Advocates noted that pretrial detention facilities, and notably facilities under control of the GKNB, lacked appropriate medical personnel and standardized medical care regulations.

Administration: Prisoners had the right to file complaints with prison officials or with higher authorities. Authorities did not conduct proper investigations of credible allegations of mistreatment. According to Bir Duino, prison staff inconsistently reported and documented complaints. Many observers believed the official number of prisoner complaints of mistreatment represented only a small fraction of the actual cases of mistreatment. Officials running pretrial detention facilities often denied persons held in pretrial detention access to visitors.

Independent Monitoring: The government allowed the National Center to prevent Torture (NCPT), an independent and impartial body, to monitor detention facilities. NGO representatives stated that NCPT officials monitored and documented some violations in detention facilities. They stressed, as in previous years, that the government needed to implement a standardized approach to identifying torture cases and provide the NCPT sufficient resources and staff members to conduct its work.

Most monitoring groups, including the International Committee of the Red

Cross (ICRC), reported receiving unfettered access to prisons and pretrial detention facilities, except for detention centers the GKNB operated. Some NGOs, including Bir Duino and Spravedlivost, had the right to visit prisons independently so that they could provide technical assistance, such as medical and psychological care for inmates.

d. Arbitrary Arrest or Detention

The law prohibited arbitrary arrest and detention and provided for the right of any person to challenge the lawfulness of their arrest or detention in court. The government did not observe these requirements. Human rights organizations reported that authorities unfairly targeted and arrested ethnic Uzbeks for alleged involvement in banned religious organizations and for alleged “religious extremism activity.” NGOs reported security services monitored the social media accounts of ethnic Uzbeks and frequently arrested individuals whom they alleged were associated with “extremist groups.” Attorneys reported police would often file false charges and then solicit bribes from the accused in exchange for their release.

Arrest Procedures and Treatment of Detainees

According to the criminal procedure code, only courts had the authority to issue search and seizure warrants. Activists frequently reported detention without a warrant or in contravention of regulatory standards. NGOs reported police targeted vulnerable defendants from whom they believed

they could secure a bribe. Authorities could legally hold a detainee for 48 hours before filing charges. Experts on torture and abuse reported police and security services often chose not to register criminal cases to avoid the procedural requirements limiting the period of detention; they would then apply harsh interrogation methods and torture to extract confessions or bribes. The law required investigators to notify a detainee's family of the detention within 12 hours. The general legal restriction on the length of investigations was 60 days. The law, however, provided courts the discretion to order a suspect held in pretrial detention for as long as one year, depending on the severity of the charges. Judges could, at their discretion, extend the period of arrest for more than one year, depending on the severity of the charges. Once a case went to trial, the law permitted courts to prolong detention until the case was closed with no time limitations. The judicial system operated a functioning bail system. The law allowed courts to use alternative measures instead of detention, such as restrictions on foreign travel and house arrest.

Persons arrested or charged with a crime had the right to defense counsel at public expense. The accused had the right by law to consult with defense counsel immediately upon arrest or detention, but in some reported cases the first meeting did not occur until the trial. As in past years, human rights groups noted incidents in which authorities denied attorneys access to arrested children, held them without parental notification, and questioned them without parents or attorneys present, despite laws forbidding these

practices.

The law authorized the use of house arrest for certain categories of suspects. Reports indicated law enforcement officers selectively enforced the law by incarcerating persons suspected of minor crimes while not pursuing those suspected of more serious offenses or those with significant political connections.

Arbitrary Arrest: As in previous years, NGOs and monitoring organizations, including Golos Svobody, Bir Duino, and Spravedlivost, recorded complaints of arbitrary arrest. Observers asserted it was impossible to know the number of cases because most of these individuals did not report their experiences. According to NGOs in the southern part of the country, arrests and harassment of individuals allegedly involved in extremist religious groups – predominantly ethnic Uzbeks – continued.

Press reported arrests of individuals suspected of involvement in the banned extremist group Hizb ut-Tahrir; such arrests continued a trend that began in 2014. According to Bir Duino, however, corruption within the law enforcement system motivated some arrests.

Local and international observers said the GKNB and law enforcement officers engaged in widespread arbitrary arrests, including some alleged to be politically motivated, detainee abuse, and extortion, particularly in the southern part of the country.

On June 6, security services arrested Russian antiwar activist Aleksei Rozhkov and deported him to Russia. Rozhkov later reported through his lawyers that a GKNB officer threatened him with torture if he did not cooperate. On June 9, the GKNB detained Lev Skoryakin, a Russian citizen and antiwar activist, and placed him in pretrial detention. On June 11, the GKNB arrested Russian activist Alena Krylova and placed her in pretrial detention. On June 12, a Bishkek District court ruled to extend both Skoryakin and Krylova's detentions until September 9. Krylova's lawyers reported to press that Krylova applied for refugee status in the Kyrgyz Republic. Krylova voluntarily returned to Russia in early October. Skoryakin was offered and accepted asylum status in Germany in October. On October 17, however, activists reported that Skoryakin was abducted in Bishkek by unknown individuals and taken to Russia, where he was placed in pretrial detention.

In October 2022, police and state security agents detained 27 journalists, activists, and politicians after they criticized a Kyrgyz-Uzbek border agreement. Most were detained for "seeking to organize mass riots," "inciting ethnic hatred," or "plotting a coup." Of the detained, 13 were released under house arrest following hunger strikes in December 2022; 14 remained in pretrial detention as of October 13. The detainees launched another hunger strike in August, claiming that they had not received access to case materials and were denied the opportunity to review the evidence against them.

Pretrial Detention: Defendants frequently suffered lengthy pretrial detention, according to civil society groups. Political influence, complex legal procedures, poor access to lawyers, and limited investigative capacity often lengthened defendants' time in pretrial detention. Judges had discretion to extend detention for over one year, depending on the severity of the charges. Authorities held approximately 1,886 persons in seven pretrial detention facilities.

e. Denial of Fair Public Trial

The constitution and law provided for an independent judiciary, but judges were subject to influence or corruption, compromising judicial independence and impartiality. The conduct and outcome of trials appeared predetermined in multiple cases. Numerous sources, including NGOs, attorneys, government officials, and private citizens, asserted that some judges paid bribes to attain their positions. Many attorneys asserted that judges ubiquitously accepted bribes. Authorities generally respected court orders.

Numerous NGOs described pervasive violations of the right to a fair trial, including coerced confessions, use of torture, denial of access to counsel, and convictions in the absence of sufficiently conclusive evidence or despite exculpatory evidence. International observers reported threats and acts of violence against defendants and defense attorneys inside and outside the

courtroom, as well as intimidation of trial judges by victims' relatives and friends.

Trial Procedures

While the law provided for the right to a fair and public trial, the judiciary generally did not enforce this right. Judicial proceedings regularly contradicted the constitutional presumption of innocence, and pretrial investigations focused on the collection of sufficient evidence to prove guilt.

Defense attorneys complained that judges routinely returned cases to investigators if the prosecutors did not provide enough evidence to prove guilt, during which time suspects could remain in detention. According to attorneys, judges typically gave defendants at least a suspended sentence instead of finding them not guilty, regardless of how little evidence existed to support a conviction.

Courts generally opened trials to the public unless the judge or prosecution claimed the case involved state secrets or privacy concerns of defendants. The government granted a limited number of judges the necessary security clearances to access documents deemed secret, further circumscribing defendants' access to impartial judicial review in cases purporting to relate to national security.

The law provided for unlimited visits between an attorney and a client during trial, but authorities occasionally did not grant permission for such

visits. The government provided indigent defendants with attorneys at public expense, and defendants could refuse legal counsel and defend themselves. HRW, domestic NGOs, and local attorneys, however, reported some state-provided criminal defense lawyers were complicit with prosecutors and did not properly defend their clients. Many observers, particularly in the southern part of the country, described these lawyers as “pocket attorneys” who would help secure bribes from their client to pass to police and judges, which would then secure the client’s eventual release. International observers reported that defense attorneys in rural areas provided a lower quality of representation than defense attorneys in the capital. In many cases, individuals accused of extremism-related crimes had trouble trying to find an attorney who was not closely connected to police.

The law permitted defendants and their counsel to attend all proceedings, call and question witnesses, present evidence, and access prosecution evidence in advance of trial, but courts frequently did not follow these requirements. Courts typically required witnesses to testify in person. Under certain circumstances courts allowed testimony via audio or video recording. Defendants and counsel, by law, had the right to communicate freely, in private, with no limitation on the frequency. Defendants and prosecutors had the right to appeal a court’s decision. An appellate court could increase a lower court’s sentence against a defendant.

Political Prisoners and Detainees

Human rights and civil society NGOs claimed there were a small number of incarcerated political prisoners. NGOs that monitored prison conditions did not report political prisoners were treated differently from other prisoners. The government permitted access to political prisoners by human rights NGOs and the ICRC.

f. Transnational Repression

Not applicable.

g. Property Seizures and Restitution

Not applicable.

h. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The law prohibited such actions, but there were reports that the government failed to respect these prohibitions. According to the law, wiretaps, home searches, mail interception, and similar acts, including in cases relating to national security, were permitted only with the approval of the prosecutor and based on a court decision. Such actions were permitted exclusively to combat crime. There were reports that the government failed to respect these restrictions, including reports of police planting evidence

during investigations and wiretapping suspects without court orders.

Government agencies had legal authority to monitor citizens' telephone and internet communications.

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

The constitution and law provided for freedom of expression, including for members of the press and other media, however, the government occasionally limited respected this right. Self-censorship increased, and pressure reportedly existed from editors and political figures to bias reporting. Media organizations reported that online harassment and hate speech directed towards independent media outlets continued to increase.

Freedom of Expression: Civil society groups noted government authorities increased the application of provisions of law on the “incitement of interethnic, racial, religious, and interregional hatred,” “public calls for violent seizure of power,” and “attempted mass riots” to restrict speech, which affected the ability of civil society activists to operate. On July 3, human rights activist Ondurush Toktonasyrov was charged with “incitement of interethnic, racial, religious, and interregional hatred” in connection with his social media posts. Toktonasyrov was known for his protests against

Russia's war against Ukraine and against detentions of activists, bloggers, and politicians.

On August 24, the GKNB detained activist Olzhobai Shakir under suspicion of "attempting to seize power" after Shakir announced on his Facebook page his plans to hold a rally to protest the transfer of four Issyk-Kul resorts to Uzbekistan under a long-term lease.

Violence and Harassment: Journalists reported harassment by police and intimidation and pressure by local and national authorities to avoid reporting on sensitive topics, including ethnic conflicts and nationalism, corruption, border violence with Tajikistan, Russia's invasion of Ukraine, and political figures. Media members also reported that nonstate actors, particularly politically connected and wealthy individuals, harassed them for reporting on those individuals' alleged corruption and other kinds of wrongdoing. Journalists also reported they noticed an increase in online harassment and attempts to hack into their private online accounts.

Censorship or Content Restrictions for Members of the Press and Other Media, Including Online Media: Journalists sometimes practiced self-censorship to avoid reprisals for their reporting. Journalists and NGO leaders alleged some news outlets instructed their reporters not to report critically on certain politicians or government officials. The sources also reported some news outlets received requests from government offices to report in a particular way or to ignore specific news stories.

The government continued its tight controls over news content on state television. NGO leaders and media sources reported state-owned broadcasters remained under pressure to transmit stories promoting government policies and initiatives and develop narratives critical of NGOs, opposition figures, and civil society activists.

On August 14, President Japarov signed the law “On Measures to Prevent Harm to Children's Health, Their Physical, Intellectual, Mental, Spiritual and Moral Development in the Kyrgyz Republic, and On Mass Media,” which allowed the government to restrict access to information, including online, that it deemed harmful to children. Media advocates said the law censored and imposed arbitrary restrictions on citizens’ access to information.

In August the Bishkek Prosecutor’s Office filed lawsuits in two Bishkek district courts to close media development organization Kloop Media Public Foundation. The lawsuits claim that since Kloop was registered as an NGO, and not a media organization, its media arm “goes beyond the scope of its charter” and was an “unlicensed activity.” Despite the stated reasons for the lawsuits, the court filings instead focused on Kloop’s “sharp criticism of the government” and its alleged negative impact on society.

Libel/Slander Laws: While slander and libel were not criminal offenses, civil lawsuits could result in defendants paying compensation for moral harm, which the law did not limit in size. Observers stated courts arbitrarily ruled on the amount of compensation and that failure to pay compensation could

serve as a basis for criminal prosecution. The government and oligarchs used these laws to restrict public discussion or retaliate against journalists and political opponents.

National Security: The criminal code prohibited actions that “incite racial, ethnic, national, religious, and interregional hatred.” Civil society activists noted that charges of extremism, terrorism, incitement, and defamation were used frequently against independent journalists and the media.

On August 9, a Bishkek City Court upheld a previous District Court decision against activist Aizhan Myrsan, who was found guilty and fined 100,000 soms (\$1,120) for “inciting ethnic hatred” following a social media video clip criticizing the government.

Internet Freedom

The government generally allowed access to the internet, including social media sites. The Civic Initiative on Internet Policy reported on 472 websites blocked by the government, including 14 blocked during the year.

On August 30, the Ministry of Culture banned the social media app TikTok, reportedly in response to complaints that the social media network harmed children’s mental development and health.

The Ministry of Culture’s block of the website of Radio Free Europe/Radio Liberty Kyrgyz affiliate Azattyk continued from October 2022 until July. In

addition, on January 23, the Ministry of Culture filed suit against Azattyk to revoke its license as a mass media outlet. On April 27, a Bishkek District Court ruled in favor of the Ministry of Culture, revoking the media outlet's license. On July 12, that court decision was overturned following a settlement agreement between the Ministry of Culture and Azattyk, approved by the Bishkek City Court.

On September 11, the Ministry of Culture blocked the Kloop Media Public Foundation's website for refusing to remove an article about a detainee's claims of torture at a GKNB pretrial detention facility.

b. Freedoms of Peaceful Assembly and Association

The government occasionally limited the freedoms of peaceful assembly and association.

Freedom of Peaceful Assembly

The constitution provided for this right, although it limited peaceful assembly in some instances. Organizers and participants were responsible for notifying authorities of planned assemblies, but the constitution prohibited authorities from banning or restricting peaceful assemblies, even in the absence of prior notification. Local authorities, however, had the right to demand an end to a public action and, in the event of noncompliance, were empowered to take measures, including arrests, to

end assemblies.

On October 12, a Bishkek District Court extended the ban of all public meetings and rallies through December 31. The only location where peaceful assemblies were permitted was in Gorky Park in Bishkek. The original decision to ban public meetings and rallies was made by all four Bishkek District Courts in March 2022 in response to the Russian-Ukraine war.

On September 29, the Osh Regional Court ruled to ban public rallies in the Uzgen District until November 7, citing security concerns. On October 4, the Osh Regional Court ruled to ban public rallies was put in place in the Chon-Alai and Nookat districts until November 7 and November 18, respectively, also because of security concerns.

Freedom of Association

Although the law provided for freedom of association, the government increased harassment of NGOs. The law prohibited foreign-funded political parties and NGOs, including their representative offices and branches, from pursuing political goals.

As in previous years, NGOs reported harassment from government security agencies, including unannounced visits to NGO offices, publication of personnel details, and threats.

The government continued to ban 21 “religiously oriented” groups it considered to be extremist, including al-Qa’ida, the Taliban, the East Turkestan Islamic Movement, the Kurdish People’s Congress, the Organization for the Liberation of Eastern Turkistan, Hizb ut-Tahrir, the Union of Islamic Jihad, the Islamic Movement of Uzbekistan, the Unification (Mun San Men) Church, Takfir Jihadist, Jaysh al-Mahdi, Jund al-Khilafah, Ansarullah At-Takfir Val Hidjra, Akromiya, ISIS, Djabhat An Nusra, Katibat al-Imam al-Buhari, Jannat Oshiqdari, Jamaat al-Tawhid wal-Jihad, and Yakyn Incar. Authorities also continued the ban on all materials or activities connected to A. A. Tihomirov, also known as Said Buryatsky.

Numerous human rights activists reported continued arrests and prosecution of persons accused of possessing and distributing Hizb ut-Tahrir literature. Most arrests of alleged Hizb ut-Tahrir members occurred in the southern part of the country and involved ethnic Uzbeks.

c. Freedom of Religion

See the Department of State’s *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement and the Right to Leave the Country

The law provided for freedom of internal movement, foreign travel,

emigration, and repatriation, and the government generally respected these rights.

Foreign Travel: The law prohibited travel abroad by citizens who had access to information classified as state secrets until the information was declassified.

Citizenship: The law on combating terrorism and extremism allowed the government to revoke the citizenship of anyone convicted of terrorist and extremist activities. The government did not invoke the law this year.

e. Protection of Refugees

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing some protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern. In June, UNHCR reported there were 1,030 refugees and asylum seekers in the country, including 513 from Afghanistan.

Access to Asylum: The law provided for the granting of asylum or refugee status, and the government had a system for providing protection to refugees. The law on refugees included nondiscrimination provisions covering persons to whom UNHCR did not grant refugee status when they left their country of origin and extended the validity of documents until a final decision on status was determined by a court. Despite local law, the

government ignored asylum requests from asylum seekers likely to be tortured upon their return to their home country.

Employment: The government granted legal permission to work to individuals UNHCR determined were refugees and to whom the government granted official residency status in the country. Not all refugees qualified for residency status, according to the government. Individuals whom UNHCR determined were refugees, but to whom the government had not conferred legal residency, were not permitted to work, access medical services, or receive identity documents. Therefore, they were susceptible to exploitation by employers paying substandard wages, not providing benefits, and not complying with labor regulations. These individuals could not file grievances with authorities.

Access to Basic Services: The government deemed individuals whom UNHCR determined ineligible for refugee status, as well as asylum seekers who lacked official status, ineligible to receive state-sponsored social benefits. In June, the refugee law was amended to classify refugees and stateless persons as permanently residing foreigners, enabling them to access basic services. The government provided education access to refugee children but could not provide them with school materials. The UN Refugee Agency provided school kits and one-off cash assistance to facilitate refugee children's education.

Section 3. Freedom to Participate in the Political Process

The constitution provided citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage. Authorities and party officials responsible for administering elections engaged in some procedural irregularities during recent elections, as reported by international observers.

Elections and Political Participation

Abuses or Irregularities in Recent Elections: The 2021 national elections were widely reported to be free and fair, although international observers noted significant procedural problems during the vote count and initial stages of tabulation in the 2021 elections for parliament.

Participation of Women and Members of Marginalized or Vulnerable Groups: No laws limited participation of women or members of minority groups in the political process, and they did participate. The election code required the names of male and female parliamentary candidates be intermixed on party lists and that no more than 70 percent of candidates on a party list be of the same gender. The law on elections required that members of parliament who resigned their mandate be replaced by persons of the same gender. Women held fewer than 10 percent of parliamentary

seats.

The law required women to be represented in all branches of government and to constitute no less than 30 percent of state bodies and local authorities. The law did not specify the level of the positions at which they had to be represented. The 30 percent women's quota for members of parliament did not include single mandate seats.

Section 4. Corruption in Government

While the law provided criminal penalties for public officials convicted of corruption, the government did not implement the law effectively, and officials frequently engaged in corrupt practices with impunity. According to Transparency International, the government appeared to selectively investigate and prosecute corruption cases.

Corruption: There were numerous reports of government corruption during the year. Observers alleged law enforcement authorities routinely accepted bribes from accused persons to avoid investigation or prosecution. Law enforcement officers, particularly in the southern part of the country, frequently employed arbitrary arrest, torture, and the threat of criminal prosecution as a means of extorting cash payments from citizens.

For additional information about corruption in the country, please see the Department of State's *Investment Climate Statement* for the country, and

the Department of State's *International Narcotics Control Strategy Report*, which includes information on financial crimes.

Section 5. Governmental Posture Towards International and Nongovernmental Monitoring and Investigation of Alleged Abuses of Human Rights

Numerous domestic and international human rights organizations generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials at times were uncooperative and unresponsive to their views.

Government actions at times appeared to impede the ability of NGOs to operate freely.

The United Nations or Other International Bodies: The government permitted visits by representatives of the United Nations and other organizations in connection with the investigation of abuses or monitoring of human rights problems in the country, including those of the Organization for Security and Cooperation in Europe, ICRC, Norwegian Helsinki Committee, and International Organization for Migration. The government provided international bodies largely unfettered access to civil society activists, detention facilities and detainees, and government officials.

Government Human Rights Bodies: The Ombudsman's Institute acted as an

independent advocate for human rights on behalf of private citizens and NGOs and had the authority to recommend cases for court review. Observers continued to note the atmosphere of impunity surrounding the security forces and their ability to act independently against citizens, factors that limited the number and type of complaints submitted to the Ombudsman's Institute.

Although the Ombudsman's Institute existed in part to receive complaints of human rights abuses and pass the complaints to relevant agencies for investigation, both domestic and international observers questioned the office's efficiency and political independence. On May 3, parliament voted to remove Ombudsperson Atyr Abdrakhamatova following her April 19 report on the human rights situation in the country, which noted systemic setbacks "in all areas, including the protection of human and civil rights and freedoms.". Parliament appointed a new Ombudsperson, Jamiliya Jamanbaeva, on May 17.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: The rape of both women and men, including spousal rape, was illegal. The government failed to enforce the law effectively, and many rape survivors did not report their rape or sexual assault to police or NGOs. Penalties for conviction of sexual assault ranged

from three to eight years' imprisonment. Prosecutors rarely brought rape cases to court. Police generally regarded spousal rape as an administrative rather than criminal offense.

While the law specifically prohibited domestic violence and spousal abuse, violence against women and girls remained a significant yet underreported problem. Penalties for domestic violence convictions ranged from fines to 15 years' imprisonment, the latter if abuse resulted in death. Domestic violence experts explained that societal and cultural norms around gender roles and women's rights remained the primary drivers of domestic violence.

Among the domestic violence cases brought to court, prosecutors classified a significant number as administrative offenses or misdemeanors, which carried a lighter sentence.

Many women did not report crimes against them due to psychological pressure, economic dependence, cultural traditions, fear of stigma, and apathy among law enforcement officers. NGOs noted some women were reluctant to report cases of violence to police because they did not trust the police or the judicial system to handle the cases appropriately. Civil society and media reported instances of spouses retaliating against women who reported abuse.

The government sponsored and provided offices for one shelter for

survivors of domestic violence, Ayalzat. International NGOs and organizations contributed funding to other shelters throughout the country. NGOs such as HRW questioned the government's commitment to address the problem. There were 17 crisis centers in the country, of which eight received limited government funding. Experts noted that the centers were under resourced and understaffed.

Other Forms of Gender-based Violence or Harassment: Although prohibited by law, the practice of kidnapping women and girls for forced marriage continued. In 2021, the United Nations estimated that approximately one in five marriages in the country began after a woman was kidnapped. Men married to kidnapped brides were more likely to abuse their wives and limit their pursuit of education and employment. The negative effect of the practice extended to children of kidnapped brides. Observers reported there was a greater frequency of early marriage, polygamy, and bride kidnapping in connection with unregistered religious marriages. This also affected data availability on such marriages. Some victims of bride kidnapping went to local police to obtain protective orders, but authorities often poorly enforced such orders. NGOs continued to report that prosecutors rarely pursued kidnappers for bride kidnapping. The law established penalties for bride kidnapping of seven years in prison and a fine, with up to 10 years in prison for the bride kidnapping of a child.

The law prohibited physical sexual assault but not verbal sexual harassment.

Police did not actively enforce these laws. Media reported on widespread sexual harassment in the workplace and on public transportation. According to data from UN Women, approximately 25 percent of women experienced sexual harassment at the workplace, with the majority occurring at government institutions.

Discrimination: The law provided for the same legal status and rights for women and men, but enforcement of the law was poor, and discrimination against women persisted.

Data from NGOs working on women's issues indicated women were less healthy, more abused, less able to work outside the home, and less able than men to determine independently the disposition of their earnings. NGOs reported women migrants were particularly vulnerable to exploitation and discrimination. Disability advocates reported women with disabilities had limited access to medical and social services, and only a third of disabled women were employed. NGOs reported women in rural areas, especially more conservative areas in the south of the country, faced limited opportunities to work outside of the home or own property.

On average, employers paid women substantially lower wages than they paid men. Women made up most pensioners, a group particularly vulnerable to deteriorating economic conditions. By law, women were prohibited from working in more than 400 "dangerous professions," including in the energy, mining, water, factories, trucking, and agriculture

sectors, as well as in certain types of construction. This law was a holdover from the Soviet era, and while it was not clear that it was enforced, it presented a barrier to women's full and free participation in the economy and affected women's earning potential. In rural areas traditional attitudes toward women limited them to the roles of wife and mother and curtailed educational opportunities. Nationally, women's economic participation was 46 percent, compared to 76 percent for men, according to the United Nations Working Group on discrimination against women and girls in April.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities. The law allowed the use of contraception, and individuals were free to choose this method.

Societal attitudes, however, discouraged the use of contraception, especially outside of marriage, and local NGOs and the UN Population Fund reported women were often unable to access reproductive healthcare due to conservative societal attitudes, family pressure, or their inability to pay for services. NGOs reported that women from low income or rural backgrounds often struggled to access and afford contraceptives.

The government provided access to some sexual and reproductive health services for survivors of sexual violence, including emergency contraception and postexposure prophylaxis. Reproductive health advocates said that although clinical guidelines mandated the provision of sexual and

reproductive health services to sexual violence survivors, many clinics, especially in rural areas, lacked the resources to provide a full range of services. The government provided contraceptives for certain groups of women, including those with disabilities and HIV-positive women.

Systemic Racial or Ethnic Violence and Discrimination

The constitution provided for the right to equality and nondiscrimination on many grounds, including race, language, and ethnicity. International human rights groups, including the UN Committee on the Elimination of Racial Discrimination, noted that although there were antidiscrimination provisions in the Criminal and Labor Code, there were no specific provisions in other key areas such as education and healthcare.

Tensions between ethnic Uzbeks – who comprised nearly 15 percent of the population – and ethnic Kyrgyz remained problematic, particularly in Southern Osh Oblast where ethnic Uzbeks made up almost one-half of the population. Discrimination against ethnic Uzbeks in business and government, as well as harassment and arbitrary arrests, was reported. Ethnic Uzbeks reported that large public works and road construction projects in predominantly ethnic Uzbek areas, often undertaken without public consultation, interfered with neighborhoods and destroyed homes. NGO Bir Duino reported that ethnic Uzbeks were overwhelmingly targeted by laws governing extremist materials shared or liked on social media.

Uzbeks in the south also complained that discriminatory practices in licensing and registering a business with local authorities made starting a small business difficult. In June the UN reported nearly 28 percent of the country's population was composed of ethnic minorities – Uzbek, Russian, Dungan, Kazakh, and other smaller groups – but fewer than 5 percent of civil servants came from minority groups.

Children

Education: The law provided for compulsory and free education for the first nine years of schooling or until age 14 or 15. Secondary education was free and universal until age 17. The government did not provide free basic education to all students. The system of residence registration restricted access to social services, including education for children who were refugees, migrants, or noncitizens. Families of children in public school often paid burdensome and illegal administrative fees.

Child Abuse: The Children's Code regulated the role of different state institutions in ensuring, providing, and protecting children's rights. The law prohibited child abuse, including crimes against the "sexual inviolability, spiritual, and moral health of children." According to NGO and UN reports, child abuse, including beatings, child labor, and commercial sexual exploitation of boys and girls continued to occur. The Child Protection League stated that violence against children left under guardianship of the

migrants' relatives occurred in many cases.

Child, Early, and Forced Marriage: Children ages 16 and 17 could legally marry with the consent of local authorities, but the law prohibited civil marriages before age 16 under all circumstances. Although illegal, the practice of bride kidnapping continued (see section 6, Women). The kidnapping of underage brides remained underreported.

In 2021, the UN estimated that 13 percent of girls under 18 were married. The law criminalized religious marriages involving children; however, prosecutors did not file any cases of criminal charges for religious marriages involving children.

Sexual Exploitation of Children: The law prohibited the sale of children, defined as younger than age 18, child trafficking, child commercial sexual exploitation and child pornography, as well as other sexual crimes against children. It provided penalties for conviction of up to 15 years in prison if the victim was a child. The law also made it a crime to involve someone in prostitution by violence or the threat of violence, blackmail, destroying or damaging property, or fraud. The government made limited efforts to enforce the law.

The criminal code prohibited the distribution of child pornography and the possession of child pornography with the intent to distribute. The law did not specifically define child pornography, and the criminal code did not fully

criminalize computer-related use, access to child pornography online, or simple possession of child pornography.

According to UNICEF and local observers, children younger than age 18 in Bishkek were involved in commercial sexual exploitation. Although precise figures were not known, police stated that typical cases involved girls from rural areas who relocated to Bishkek for educational opportunities or to flee an abusive family environment. Once in the capital, they were exploited in sex trafficking due to financial need. NGOs and international organizations reported cases where law enforcement officials were complicit in human trafficking by accepting bribes to drop cases, warning suspected traffickers prior to raids, and allowing traffickers to avoid punishment by offering survivors payment to drop cases. There were also reports that police threatened, extorted, and raped child sex trafficking survivors. The government reportedly did not always investigate allegations of government employees complicit in human trafficking offenses. Under the criminal code, it was illegal for persons ages 18 and older to have sexual relations with someone younger than age 16.

Antisemitism

The size of the Jewish population was approximately 400. Starting October 7, some Jewish organizations in Bishkek were targeted by social media users. Several social media posts posted pictures of Bishkek's only Jewish school

with its address, calling for the school to be burned down. On October 28, former MP Tursunbai Bakir uulu organized a protest of more than 100 persons in front of the school to call for the school's closure. The school's building was vandalized on November 3 and the school employed private security guards to protect students and staff.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics

Criminalization: The country did not criminalize consensual same-sex sexual conduct between adults.

Violence and Harassment: Lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) persons faced high levels of homophobia, transphobia, social stigma, and violence, according to Kyrgyz Indigo, an LGBTQI+ NGO; often, violence occurred in home environments. Recent data from Kyrgyz Indigo showed 70 percent of violence experienced by LGBTQI+ persons occurred at home. Additionally, inmates and officials often openly victimized incarcerated gay men.

Forced marriages of lesbians and bisexual women to men also occurred. LGBTQI+ NGOs also reported that the gap in data on LGBTQI+ persons who experienced violence was due to fear of secondary discrimination or reprisal. The Labrys Public Foundation noted the continued practice of “corrective rape” of lesbians, a form of “conversion therapy” to “cure” their LGBTQI+ status. LGBTQI+ NGOs reported harassment and continuing surveillance of their workers and offices by security services. LGBTQI+ activists continued to report that LGBTQI+ community members were subjected to police harassment and threats, including threats of violence or arrest if they did not pay bribes. NGO leaders in the southern part of the country reported an even greater threat. Members of the LGBTQI+ community reported that authorities regularly monitored chatrooms and dating sites to punish and extort those who were seeking homosexual sex through online venues.

Discrimination: The law prohibited discrimination by state and nonstate actors based on gender; however, there were no laws that prohibited discrimination based on sexual orientation, gender identity, or gender expression. LGBTQI+ persons whose sexual orientation or gender identity was publicly known risked physical and verbal abuse, possible loss of employment, and unwanted attention from police and other authorities. In its 2022 report, the Eurasian Coalition on Health, Rights, Gender and Sexual Diversity registered 31 violations of LGBTQI+ rights in the country. The report noted that most violations were perpetrated by employees of

medical institutions and representatives of law enforcement agencies against LGBTQI+ individuals living with HIV and homosexual men in search of partners in social networks.

Members of the LGBTQI+ community reported discrimination in the workplace when they publicly disclosed their sexual orientation. LGBTQI+ persons faced a high risk of becoming the victims of deception and labor and sexual exploitation. The most vulnerable LGBTQI+ group in terms of employment discrimination was transgender women, who were frequently forced out of employment opportunities.

Civil society activists said the law “On Measure to Prevent Harm to Children’s Health, Their Physical, Intellectual, Mental, Spiritual and Moral Development in the Kyrgyz Republic, and On Mass Media,” enacted in August, indirectly targeted the LGBTQI+ community. The law imposed fines for media organizations, publishers, or ordinary citizens who disseminated “information harmful to children,” and also expanded the definition of “harmful information” to include “any information that denies traditional family values, [or] propagates non-traditional sexual relations.”

Availability of Legal Gender Recognition: Ministry of Health guidelines established a legal framework for transgender, transsexual, and gender-nonconforming persons to access legal gender identity documents and receive gender-affirming healthcare. The guidelines complied with the global standard allowing individuals to self-identify their gender.

Involuntary or Coercive Medical or Psychological Practices: LGBTQI+

advocates reported that some LGBTQI+ individuals were subjected to “conversion therapy” practices, usually conducted by religious figures who attempted to use coercion and abuse to change a person’s sexual orientation or gender identity, including the practice of exorcising supernatural spirits from the individual by beatings or strangulation.

Restrictions of Freedom of Expression, Association, or Peaceful Assembly:

While there were no laws that directly prohibit LGBTQI+ existence or expression, Article 10 of the constitution indirectly censored LGBTQI+ activities and events as they could be considered contrary to the “moral values and the public consciousness of the people of Kyrgyzstan.”

Persons with Disabilities

The law prohibited discrimination against persons with physical, sensory, intellectual, and mental disabilities. The law mandated access to buildings for persons with disabilities, required access to public transportation and parking, authorized subsidies to make mass media available to persons with hearing or vision disabilities, and provided free plots of land for the construction of a home. The government generally did not ensure proper implementation of the law, and discrimination persisted. Persons with disabilities often had difficulty finding employment due to negative societal attitudes and high unemployment among the general population. A 2022

Solidarity Center study estimated that only 20 percent of persons with disabilities were employed, most in seasonal or part-time jobs.

A lack of government resources made it difficult for persons with disabilities to receive adequate education. Although children with disabilities had the right to an education, the Association of Parents of Children with Disabilities stated schools often denied them entry.

Institutionalized Children: According to UNICEF, the government and families institutionalized one-third of children with disabilities. The government did not adequately provide for basic needs, such as food, water, clothing, heating, and health care, and did not adequately address overcrowded conditions.

Authorities usually placed children with mental disabilities in psychiatric hospitals rather than integrating them with other children. HRW reported approximately 3,000 children with disabilities were segregated in residential institutions or segregated schools where they faced neglect and discrimination.

HRW reported that institutionalized children with disabilities faced segregation, the overuse of psychotropic medications and forced psychiatric hospitalizations, neglect, and lack of access to quality education. In many institutions a single care worker was responsible for 15 to 25 children at a time.

Other Societal Violence or Discrimination

While the law criminalized discrimination and stigmatization of persons with HIV or AIDS, according to UNAIDS, persons with HIV continued to encounter high levels of stigma and discrimination. According to LGBTQI+ organizations, HIV-positive persons and those key populations at increased risk for HIV felt fear or experienced verbal abuse, harassment, and threats, with some reporting incidents of physical abuse and assault. Civil society reported that social stigma of positive HIV and AIDS status led to discrimination in hiring, loss of employment, and a lack of access to housing for individuals with such a status or LGBTQI+ individuals.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provided for the right of workers to form and join trade unions, except domestics and migrants. The government effectively enforced these rights. The law provided for the right of unions to organize and bargain collectively and conduct their activities without interference. Workers could strike, but the requirement to receive formal approval made striking difficult and complicated. The law on government service prohibited government employees and medical professionals from striking, but the prohibition did

not apply to teachers. The law did not prohibit retaliation against striking workers. Penalties were commensurate with those for other laws involving denials of civil rights, such as discrimination. Penalties were sometimes applied against violators.

Many unions reportedly operated as quasi-official institutions that took state interests into consideration rather than representing workers' interests exclusively. The Federation of Trade Unions of Kyrgyzstan (FTU) remained the only umbrella trade union in the country. Most unions were affiliated with the FTU, although the government did not require such affiliation. Labor rights advocates reported the existence of several smaller unaffiliated unions.

Workers exercised their right to form and join unions, and unions exercised the right to organize and bargain collectively. Union leaders generally cooperated with the government. There were limited reports of government interference with union activities. International observers judged that unions represented the interests of their members poorly.

According to labor activists, workers in mines (primarily gold and coal) owned and operated by Chinese firms were not provided the same rights of freedom of association or collective bargaining. Strikes by workers at these mines, often demanding higher wages or safer working conditions, were organized ad hoc and without official representation or mechanisms for negotiating with mine owners. Local authorities were less inclined to

interfere with the operations at these mines, including enforcement of worker's rights.

b. Prohibition of Forced or Compulsory Labor

See The Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/>.

d. Discrimination (see section 6)

e. Acceptable Conditions of Work

Wage and Hour Laws: The law provided for a national minimum wage for all sectors of the economy, which was less than the official government's 2021 poverty line. The law on minimum wage stated it should rise gradually to meet the cost of living. The government did not effectively enforce laws related to minimum wage and overtime. There was limited employer liability for late payment of wages, allowances, or other social benefits. Penalties were not commensurate with those for similar crimes, such as fraud. The standard workweek was 40 hours, usually with a five-day week.

For state-owned industries, there was a mandated 24-hour rest period in a seven-day workweek. According to the labor code, overtime work could not exceed four hours per day or 20 hours per week. The labor code also stated workers engaged in overtime work had to receive compensatory leave or premium pay of between 150 and 200 percent of the hourly wage.

Compliance with these requirements differed among employers. For example, large companies and organizations with strong labor unions often abided by these provisions. Employers of small or informal firms where employees had no union representation often did not enforce these legal provisions.

Occupational Safety and Health: Occupational safety and health (OSH) standards were appropriate for the main industries in the country, but the government generally did not enforce them; the mining industry, construction, transport, and energy sectors were considered the most hazardous. The law did not clarify that occupational safety and health experts, rather than workers, were responsible for identifying unsafe situations. Factory operators often employed workers in poor safety and health conditions. Penalties for violations of the law, which ranged from community service to fines, were commensurate with those for crimes like negligence. Penalties were rarely applied against violators. The law provided workers the right to remove themselves from a hazardous workplace without jeopardizing their employment.

Wage, Hour, and OSH Enforcement: The Ministry of Labor, Social Security and Migration was responsible for protecting workers and carrying out inspections for all types of labor problems. Enforcement of wage requirements was somewhat effective; employers often chose to negotiate directly with employees rather than face potential fines. Occupational safety enforcement remained weak, and penalties were rarely applied against violators. The government announced In November a new moratorium on labor inspections following the expiration of a prior three-year moratorium on all state inspections. Although the ministry conducted 186 inspections during the first half of the year, the ILO noted the ministry lacked funding and personnel to carry out robust inspections.

The National Statistics Committee defined informal economic activity as household units that produce goods and services primarily to provide jobs and income to their members. In 2022, an estimated 30 percent of the population worked in the formal economy, while the rest worked in the informal economy, which the International Monetary Fund estimated to be equivalent to more than 40 percent of GDP. The government did not enforce labor laws nor provide for occupational health and safety standards for workers in the informal economy.