



# Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General  
18 November 2019

Original: English  
English, French, Russian and  
Spanish only

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## Committee on the Elimination of Discrimination against Women

### List of issues and questions in relation to the fifth periodic report of Kyrgyzstan\*

#### Constitutional, legislative and institutional framework

1. With reference to paragraphs 5, 7, 9 and 10 of the fifth periodic report of the State party ([CEDAW/C/KGZ/5](#)),<sup>1</sup> please provide information on the measures taken to implement the strategy and plans referred to in respect of gender equality and indicate whether monitoring and assessment mechanisms have been established. Please also indicate which steps the State party has taken to develop and adopt comprehensive anti-discrimination legislation that includes a definition of discrimination against women and explicitly prohibits all forms of discrimination against women in all areas under the Convention, including direct and indirect discrimination and intersecting forms of discrimination in line with article 1 of the Convention, as recommended in the Committee's previous concluding observations ([CEDAW/C/KGZ/CO/4](#), para. 10), and indicate the measures envisaged for resolving inconsistencies between statutory law and customary law.

#### Access to justice

2. Please provide data on the number of women who have benefitted from free legal aid under the Law on State-Guaranteed Legal Aid and specify the violation of law concerned. Please provide information on measures adopted to raise awareness among women of their rights and on the remedies available to claim them, particularly in rural and remote areas.

#### National machinery for the advancement of women

3. Please indicate the measures taken to provide adequate human, technical and financial resources to strengthen the national machinery to advance gender equality and women's rights and to address the issue of high staff turnover. With reference to the Committee's previous recommendation ([CEDAW/C/KGZ/CO/4](#), para. 12), please

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\* Adopted by the pre-sessional working group for the seventy-sixth session (11–15 November 2019).

<sup>1</sup> Unless otherwise indicated, paragraph numbers refer to the fifth periodic report of the State party.



provide information on the measures taken to develop a gender-mainstreaming strategy and ensure gender-responsive budgeting in all ministries.

#### **National human rights institutions**

4. Please describe efforts made to enhance the transparency of selection and dismissal of the Ombudsman and Deputy Ombudsman, to provide the Office of the Ombudsman with a specific mandate to protect and promote women's rights, and to strengthen cooperation with civil society organizations, as recommended by the Sub-Committee on Accreditation of the Global Alliance of National Human Rights Institutions, in order to fully comply with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).

#### **Temporary special measures**

5. Please provide information on temporary special measures, including quotas, to achieve substantive equality between women and men in all areas in which women are underrepresented or disadvantaged, in particular with regard to the participation of women in local parliaments and governments and entrepreneurship among women, including in decision-making positions. Please also indicate temporary special measures taken or envisaged to promote the participation of women belonging to disadvantaged groups, including women belonging to ethnic minority groups, women with disabilities and older women, in all areas in which they are disadvantaged or underrepresented.

#### **Stereotypes and harmful practices**

6. In the light of the recommendation made by the Committee in its previous concluding observations ([CEDAW/C/KGZ/CO/4](#), para. 16), please provide information on efforts made by the State party to develop a comprehensive strategy targeting women and men, including religious leaders, to eliminate discriminatory social norms, attitudes and stereotypes on the roles and responsibilities of women and men in the family and in society. Please also indicate whether the result of the national study on gender in the perception of society (para. 32) has been used in those efforts.

7. In addition to programmes in the media to enhance awareness on the negative impact of bride kidnapping and child marriage on women and girls (paras. 37 and 56), please provide information on the measures taken by the State party to monitor and eliminate the use of gender discriminatory language and stereotypical portrayals of women in the media. With reference to the report of the Committee on its inquiry under article 8 of the Optional Protocol to the Convention ([CEDAW/C/OP.8/KGZ/1](#)), please indicate whether the State party has adopted a systematic approach to expanding public education programmes on the adverse effects of bride kidnapping and child marriages and to remove discriminatory gender stereotypes from school curricula and teaching materials at all levels of education within a specific time frame.

#### **Gender-based violence against women**

8. Please provide information on the measures taken to implement Act No. 63 of 27 April 2017 on protection and defence against domestic violence (para. 38) and the instruction on the organization of activities on protection and defence against domestic violence under Order No. 970 of the Ministry of Internal Affairs (para. 40) establishing monitoring mechanisms and allocating adequate human, technical and financial resources for the implementation of the Act and instruction. Please also provide updated data on the number of protection orders issued, orders violated and penalties imposed for non-compliance with protection orders, single protection orders

issued under the Act No. 63 (para. 39) and women who have been victims of gender-based violence who were provided with shelter and/or received psychological assistance under Order No. 42 of the Ministry of Health (para. 47). Please indicate whether the single protection orders are immediately made available to the parties and effectively protect victims of domestic violence.

9. In relation to the Committee's recommendations regarding the reporting of incidents of domestic and sexual violence to law enforcement bodies (CEDAW/C/KGZ/CO/4, para. 18), please indicate the measures taken to provide training to law enforcement officers on gender-sensitive investigation and interrogation methods in cases of gender-based violence against women. Please also provide information on the measures taken to ensure that courts do not use reconciliation procedures as a basis for discontinuing criminal prosecution in such cases. Please indicate whether the State party has taken steps to amend the Criminal Code to criminalize all forms of gender-based violence, including marital rape, and to ensure the mandatory and ex officio prosecution of such violence.

### **Bride kidnapping**

10. Please provide information on the current status of the plan for the implementation of the Preventing Early Marriage Law (Joint Order No. 1084 of 21 December 2017), whether adequate human, technical and financial resources have been allocated for its implementation and how it is monitored and evaluated. Taking into account information provided by the Ministry of Finance of the State party that providing affordable housing for victims of bride kidnapping is hampered by the State party's budget deficit (CEDAW/C/OP.8/KGZ/2, para. 26), please explain how the State party ensures that all victims of bride kidnapping have access to support services throughout the State party, particularly in rural areas where the social legitimization of bride kidnapping and forced marriage persist. Please provide data on the number of reported cases of bride kidnapping, criminal investigations thereof, prosecutions, convictions and the sentences imposed on perpetrators in such cases, as well as on the remedies provided to victims and measures taken to increase the number of investigations, prosecutions and convictions, as well as to increase the remedies provided to victims.

### **Trafficking and exploitation of prostitution**

11. Please indicate the progress made in implementing the programme on combating trafficking in persons in the State party for the period 2017–2020 and the national referral mechanism for victims of trafficking in persons (paras. 57–58) throughout the State party. The Committee acknowledges that the State party has national standards regarding State-funded shelters for victims of trafficking, including women trafficked for exploitation of prostitution. Please indicate the measures in place to ensure that women belonging disadvantaged groups have effective access to such shelters and counselling services, including in rural areas. Furthermore, concerning illegal forced testing for HIV/AIDS of women in prostitution by the police, please indicate whether Order No. 946-r of 14 December 2017 (para. 73) is being complied with by the police. In that regard, please also indicate the measures taken to strengthen the oversight role of the Office of the Prosecutor.

### **Participation in political and public life**

12. According to the report of the State party, the percentage of women in the Zhogorku Kenesh has decreased, from 23.3 per cent in 2010 to 15.8 per cent in 2018 (table 3), notwithstanding the statutory minimum quota of 30 per cent for the representation of women. Please explain the reasons for the decrease and provide

information on steps taken to remove the barriers faced by women who stand for election to the Zhogorku Kenesh, including through the provision of training for women on political campaigning, leadership and negotiation skills. Please indicate the measures adopted to promote access for women to decision-making positions in the national and local governments, in the diplomatic service and in international organizations. Furthermore, please provide information on the measures taken to ensure that civil society organizations, including women human rights defenders and activists, are able to freely carry out their work of protecting women's human rights.

### **Women and peace and security**

13. Please provide information on the budget allocated to the implementation of the action plan to implement Security Council resolution [1325 \(2000\)](#) on women and peace and security (para. 10) and on measures taken to ensure the participation of women in conflict prevention, peacebuilding and post-conflict reconstruction processes. In relation to reports of violent extremism in the State party, please indicate whether the State party has conducted research on the phenomenon, including on the situation of women who participated in armed conflicts in other countries, and whether it has integrated a gender perspective into strategies to prevent violent extremism.

### **Nationality**

14. With reference to the Committee's general recommendation No. 32 (2014) on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women, please provide information on the measures taken to ensure the birth registration of all children born in the territory of the State party, including children whose parents are undocumented or are in customary or religious marriages. Please provide updated data on the number of stateless women and describe the measures taken by the State party to strengthen the statelessness status determination procedure. Please also indicate the measures adopted to ensure the registration of customary or religious marriages.

### **Education**

15. With regard to the low enrolment of women and girls in non-traditional fields of education, such as computer science, engineering, architecture, veterinary science and transportation (table 13), please indicate the measures adopted, including temporary special measures, to encourage women and girls to choose non-traditional fields of education and career paths. Please also indicate whether the State party provides systematic and gender-sensitivity training to teachers, including on the prevention of child and forced marriages, at all levels of education and how the incorporation of such training into classroom instruction is monitored. Please provide statistical data on the school completion and dropout rates in the State party, disaggregated by sex and age, for all levels of education, and indicate the measures taken to address the causes of school dropout among girls, including child marriage and early pregnancy, and to ensure the reintegration of girls and young women into the education system.

### **Employment**

16. Please explain the discrepancy between the information provided by the State party that the State Inspectorate for Environmental and Technical Safety, which monitors discrimination against women in the workplace, found no violations in the period from 2013 to 2018 (para. 101) and the persistent non-compliance of employers with labour regulations (para. 99). Please provide information on the mandate and findings of the State Inspectorate. In relation to the concerns expressed by the

Committee in its previous concluding observations ([CEDAW/C/KGZ/CO/4](#), para. 27), please provide information on the progress made by the State party in adopting specific legislation to ensure application of the principle of equal pay for work of equal value. Please also provide information on the measures taken to eliminate occupational segregation in the labour market and to address the concentration of women in unpaid domestic work and in the informal sector, with a view to improving access for women to the formal labour market (paras. 92, 96–97).

17. Please provide information on the current status of the review of maternity benefits and of the comprehensive survey on sexual harassment in the workplace by the Office of the Ombudsman ([CEDAW/C/KGZ/CO/4/Add.1](#), para. 11), as well as on any further measures taken to ensure equal access to maternity benefits throughout the State party and to prevent sexual harassment in the workplace. Please indicate what measures the State party has taken to promote the use of shared parental leave and to encourage men to participate equally in childcare responsibilities. Please also indicate the measures taken to abolish the list of occupations that excludes women and discriminates against their full participation in the labour market and the timeline envisaged therefor.

### **Health**

18. Please provide information on the measures taken by the State party to eliminate stigma and discrimination against women by health-care personnel and corruption in the health-care system which hampers access for women to affordable services. Please also explain whether the State party has established monitoring mechanisms for the effective enforcement of clinical guidelines and protocols to further reduce maternal and infant mortality rates and whether it has strengthened its efforts to end malnutrition among women and girls, particularly pregnant women. Please provide information on the measures taken to increase the number of medical specialists, including neonatologists, anaesthesiologists and specialists in intensive care (para. 114), to ensure high-quality health-care services for women and girls, particularly in rural and remote areas and for those living with HIV/AIDS. Please inform the Committee of the measures taken to ensure the sexual and reproductive health and rights of women and girls, including access to affordable modern contraceptive methods and family planning services (para. 117).

### **Economic and social benefits**

19. Please describe the impact of the mechanisms for ensuring equal access for women to loans, mortgages and other forms of financial credit described in the report of the State party (para. 136). Please indicate how the State party ensures effective access to social protection schemes for women engaged in unpaid work or in the informal sector and for women with disabilities, in line with the Committee's general recommendation No. 16 (1991) on unpaid women workers in rural and urban family enterprises. Please also provide information on the measures taken to promote entrepreneurship among women, including through the provision of skills training programmes.

### **Rural women**

20. Please provide information on the measures taken to ensure access for rural women to justice, education, health services, formal employment and ownership and use of land, as recommended in the Committee's previous concluding observations ([CEDAW/C/KGZ/CO/4](#), para. 32).

**Disadvantaged groups of women**

21. Please provide information on the measures in place to ensure access to justice, employment, health care, including sexual and reproductive health services, and social protection for disadvantaged groups of women, including women belonging to ethnic minority groups, refugee and asylum-seeking women, migrant women, older women, women with disabilities, women living with HIV/AIDS, women using drugs and lesbian, bisexual and transgender women. Please also indicate if the State party has taken any steps to adopt a comprehensive national programme for migrant women and to combat discrimination and violence by the police against women in disadvantaged situations, in particular, lesbian, bisexual and transgender women, women living with HIV/AIDS and women using drugs.

**Marriage and family relations**

22. Please indicate the measures in place to enforce the revised legislation on religious belief and practice as well as Order No. 410 of 21 December 2016 of the Spiritual Directorate of Muslims of Kyrgyzstan, which prohibit religious marriages with persons under the age of 18, and specify their impact in eliminating child religious marriages (para. 35). Please also provide information on the measures taken to protect the rights of women upon the dissolution of a religious marriages, as recommended in the Committee's report on its inquiry under article 8 of the Optional Protocol to the Convention ([CEDAW/C/OP.8/KGZ/1](#), para. 95 (e)). Please further provide information on the outcome of the first action plan on preventing child marriage for the period 2017–2018 and indicate whether a subsequent plan has been adopted.

**Sustainable Development Goals**

23. Please provide information about the measures taken to integrate a gender-perspective into all efforts aimed at achieving the Sustainable Development Goals.

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