



Economic and Social Council

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Committee on Economic, Social and Cultural Rights

List of issues in relation to the combined second and third periodic reports of Kyrgyzstan*

1. Please inform the Committee about the legal standing of the International Covenant on Economic, Social and Cultural Rights under domestic law. Please provide examples of any court cases in which the provisions of the Covenant have been invoked before and/or applied by domestic courts.
2. Please provide information on steps taken to bring the mandate of the Office of the Ombudsman (*Akyikatchy*) into full compliance with the principles relating to the status of national institutions (Paris Principles), contained in the annex to General Assembly resolution 48/134. Please indicate if the Office of the Ombudsman is provided with the necessary financial and human resources to effectively implement its mandate.

I. Issues relating to the general provisions of the Covenant (arts. 1–5)

Article 2, paragraph 1 – Maximum available resources

3. Please provide the annual comparative statistical data for the past five years showing the percentage of gross domestic product and State budget allocated for the implementation of the rights under the Covenant.
4. Please provide information on the effectiveness of anti-corruption measures in the context of maximizing resources available for the promotion and enjoyment of economic, social and cultural rights. Please also provide information on the number and nature of cases prosecuted and the accountability of perpetrators.

Article 2, paragraph 2 – Non-discrimination

5. Please indicate what steps have been taken to adopt comprehensive anti-discrimination legislation.

* Adopted by the pre-sessional working group at its fifty-fourth session (1-5 December 2014).



6. Please provide information on the steps taken to combat and prevent social stigma and discrimination against persons living or affected with HIV/AIDS, persons with disabilities and other vulnerable groups. Please provide information on the new bill that aims at incriminating the act of disseminating information or any public events aimed at “forming a positive attitude towards non-traditional forms of sexual relations”.

7. Please report on measures taken to address the disparities that exist between different ethnic communities and between rural and urban areas. Please also provide information on measures taken to promote the participation of minorities in political and public affairs.

Article 3 – Equal rights of men and women

8. Please provide information on the impact of the national gender equality plan for 2007-2010 (Presidential Decree No. 369, 20 August 2007) on the enjoyment of the economic, social and cultural rights of women and girls. Please clarify if the draft national action plan for 2012-2014 has been adopted (E/C.12/KGZ/2-3, para. 24) and, if so, how it has further developed the previous national gender equality plan.

9. Please provide information on the measures taken, including temporary special measures, to increase the representation of women in Parliament, the Government, senior positions in the civil service and the law enforcement sector.

II. Issues relating to the specific provisions of the Covenant (arts. 6–15)

Article 6 – The right to work

10. Please provide updated information, disaggregated by sex, age and rural/urban area, on the unemployment rate. Please also report on the impact of measures aimed at reducing unemployment, including the impact of the national employment policy programme, and measures taken to address the large scale of labour migration abroad. Please also provide updated information on the Decent Work Country Programme for the Kyrgyz Republic 2012-2015 (E/C.12/KGZ/2-3, paras. 52 and 53).

11. Please specify what measures are in place to reduce the extent of the informal economy and to guarantee access of persons working in the informal economy to basic services and social protection.

12. Please also provide information on the measures taken to facilitate access of refugees, stateless persons and asylum seekers to work.

Article 7 – The right to just and favourable conditions of work

13. Please provide information on the measures taken to raise the minimum wage to the level of the “living wage benchmarks” established in the State’s Constitution (E/C.12/KGZ/2-3, para. 64). Please also provide information on whether the “living wage benchmarks” ensures a decent living for workers and their families.

14. Please inform the Committee on the measures taken by the State party to implement the principle of equal treatment of men and women with regard to wages, working conditions and access to employment, in accordance with the Committee’s previous concluding observations (E/C.12/1/Add.49, para. 18).

15. Please provide information on concrete measures taken to address the high rate of accidents and work-related illnesses (E/C.12/KGZ/2-3, para. 76). Please also provide information on the enforcement of rules governing occupational safety and health and on sanctions that are applied for non-compliance.

Article 8 – Trade union rights

16. Please provide information on the legal regulations and procedures concerning the establishment of trade unions and measures in place to ensure full compliance with the right to form and join trade unions. Please provide updated information on the amendments of February 2014 to the Criminal Code, according to which directors and staff of strategically important enterprises could be imprisoned for up to 15 years for failure or stoppage of production.

Article 9 – The right to social security

17. Please clarify whether there is a system for reviewing social benefits in order to ensure that such benefits guarantee an adequate standard of living, indicating the methodology applied to identify beneficiaries. Please also provide information on how the reviewing system is applied under the contributory and non-contributory pension systems (E/C.12/KGZ/2-3, para. 141).

18. Please provide detailed information on the social benefits available to persons with disabilities. In particular, please provide information on whether the adoption of two regulations on minimum standards of social services for people with disabilities has effectively promoted their social inclusion.

19. Please provide information on the results of the Social Protection Development Strategy 2012-2014 and measures taken to increase the social assistance benefits for low-income families with children.

20. Please provide information on steps taken to provide refugees, asylum seekers and stateless persons with access to social security benefits.

Article 10 – Protection of the family, mothers and children

21. Please report on the impact of the targeted measures taken to combat child labour.

22. Please provide information on the measures taken, legislative or otherwise, to prevent and combat domestic violence, particularly against women and children, and ensure that perpetrators are adequately sanctioned and victims have access to immediate protection and effective means of redress.

Article 11 – The right to an adequate standard of living

23. Please provide updated statistical data on the percentage of the population living below the poverty line, disaggregated by sex, age and rural/urban areas, and on the impact of concrete measures taken to address poverty.

24. Please inform the Committee if the State party has taken measures, including legislative measures, to ensure access to affordable and adequate housing, particularly for disadvantaged and marginalized individuals and groups. Please provide information on the extent of homelessness in the State party. Please provide information on measures taken to address the illegal constructions, informal and semi-informal settlements in urban areas,

particularly in Bishkek and Osh. Please also provide information on measures taken to ensure that forced evictions are only conducted in the most exceptional circumstances and in accordance with the relevant principles of international law. Please inform on mechanisms to provide property owners with adequate compensation for expropriated properties.

25. Please inform the Committee of the impact of measures taken under the Food Security Law to improve access to food, especially by the most disadvantaged and marginalized individuals and groups. Please provide information on the steps taken to reduce malnutrition, improve the school nutrition programme and ensure reserves of food supplies.

Article 12 – The right to physical and mental health

26. Please outline the concrete measures taken to improve the availability and the quality of health-care services, including emergency care, especially in rural areas and for disadvantaged and marginalized individuals and groups. Please provide information on the impact of the Den Sooluk National Health-care Programme for 2012-2016 and the State Guarantee programme, which provide access to free medical care.

27. Please provide information on the impact of measures taken to reduce the HIV infection rates and to address the limited coverage of adequate antiretroviral drugs. Please also provide information on the measures taken to increase awareness and knowledge about HIV/AIDS, especially among young people.

28. Please provide information on the measures taken, and the impact thereof, to decrease maternal mortality and infant and child mortality rates. Please also provide information on the measures taken to ensure access to sexual and reproductive health services by all.

Articles 13 and 14 – The right to education

29. Please provide information on dropout and non-attendance rates at the primary and secondary levels of education, in particular of Lyuli children. Please report on the measures taken to encourage school attendance by girls, children in rural areas, children belonging to national minorities, children with disabilities and children of migrants and stateless persons, in particular children from the Central Asia Roma ethnic community, who do not possess birth certificates.

30. Please provide information on the measures taken to address needs regarding quality of education. Please also provide information on the measures taken to improve the school infrastructure, including furniture and supplies, heating and electricity, and to promote the use of the Internet in schools

31. Please provide information on the objectives and expected outcome of the “National programme on the development of the State language and improvement of the language policy in the Kyrgyz Republic for 2014-2020” in relation to access to education for minority groups in their own language.

Article 15 – Cultural rights

32. Please indicate the measures taken to protect cultural diversity, promote awareness of the cultural heritage of ethnic groups and create favourable conditions for them to preserve, develop, express and disseminate their identity, history, culture, language, traditions and customs.
