



**International Convention on  
the Elimination of All Forms  
of Racial Discrimination**

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**Committee on the Elimination of Racial Discrimination**

**Combined eleventh and twelfth periodic reports submitted by  
Kyrgyzstan under article 9 of the Convention, due in 2022\***

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\* The present document is being issued without formal editing.



## **Introduction**

1. The Kyrgyz Republic acceded to the International Convention on the Elimination of All Forms of Racial Discrimination pursuant to Act No. 48 of 26 July 1996.
2. The combined eleventh and twelfth periodic reports of Kyrgyzstan on the implementation of the Convention (covering the period from 1 January 2019 to 31 December 2022) are submitted to the Committee on the Elimination of Racial Discrimination in line with the country's international obligations.
3. The national report has been prepared in accordance with the guidelines for the preparation of reports. The document uses information received from State bodies and civil society organizations and takes into account the recommendations made by the Committee in response to the combined eighth, ninth and tenth periodic reports of Kyrgyzstan, which were presented on 24 and 25 April 2018 at the Committee's ninety-fifth session, held at the United Nations Office at Geneva.
4. The Committee's concluding observations on the combined eighth, ninth and tenth periodic reports were discussed with the participation of representatives of government agencies and non-governmental organizations.
5. In line with its ongoing commitment to achieve further progress in implementing the Committee's recommendations, the Government, by Order No. 7 of 28 January 2019, approved an inter-agency action plan for 2019–2022 to give effect to the recommendations made by the Committee following its consideration of the combined eighth, ninth and tenth periodic reports on the implementation of the Convention over the period 2011–2015.
6. The periodic report is structured in two parts. The first part of the report focuses on the implementation of the provisions of the Convention by Kyrgyzstan, as well as giving information on the consideration of the Committee's concluding observations. The second part of the report provides information on the work carried out by Kyrgyzstan to advance the practical implementation of the Convention during the reporting period.

## **Part I**

7. According to data from the National Statistics Committee, at the beginning of 2019 the total population of Kyrgyzstan was 6,389,500 persons, of whom 71.7 per cent were of Kyrgyz ethnicity, 14.7 per cent Uzbek, 5.4 per cent Russian, 1.1 per cent Dungan, 0.9 per cent Uighur, 0.8 per cent Tajik and 3.9 per cent from other ethnic groups.
8. As at 1 January 2023, the population of Kyrgyzstan is 7 million persons, of whom 73.4 per cent are of Kyrgyz ethnicity, 14.8 per cent Uzbek, 4.9 per cent Russian, 1.1 per cent Dungan, 0.9 per cent Uighur, 0.8 per cent Tajik and 3.9 per cent from other ethnic groups.

## **Information on the implementation of article 1 of the Convention**

9. Anti-discrimination provisions are enshrined in the Constitution and further developed in a number of acts. Current criminal law recognizes the commission of an offence for reasons of racial, ethnic, national, religious or interregional hostility or hatred as an aggravating circumstance (Criminal Code, art. 74). In addition, the Criminal Code provides for appropriate penalties in this area under articles 189, 330, 331, 403 and 405.
10. In general, the Constitution and national legislation of Kyrgyzstan meet the requirements of the Convention.

## **Information on the implementation of article 2 of the Convention**

11. The Criminal Code provides for liability for offences with an ethnic, racial or other such component. Actions intended to incite racial discrimination are regarded as criminally

punishable acts posing a danger to society, as defined in articles 330 and 403 of the Criminal Code. Under Kyrgyz criminal law, this type of offence is considered to be especially serious.

12. Article 189 of the Criminal Code establishes liability for direct or indirect violations or restrictions of human and civil rights and freedoms (breaches of the equality of citizens) on the basis of sex, race, ethnicity, language, origin, wealth or professional status and for other discriminatory acts.

13. In accordance with international law, article 405 of the Criminal Code defines genocide as “acts intended to destroy, in whole or in part, a national, ethnic, racial or religious group by killing members of the group, seriously injuring their health, forcibly preventing births or transferring children, organizing forced resettlement or inflicting other conditions of life calculated to bring about the physical destruction of members of that group”.

14. Article 108 of the Code of Infractions establishes liability for offences against ethnocultural rights, such as the violation of citizens’ right to free choice of language or the obstruction or restriction of the use of a language.

15. In accordance with the regulations approved by Cabinet of Ministers Decision No. 251 of 15 November 2021 on issues relating to the Ministry of Culture, Information, Sport and Youth Policy, the Ministry also implements State policy with respect to strengthening national unity, inter-ethnic relations and the development of civic identity.

16. An action plan to implement the Concept for the Development of the Civic Identity of the Kyrgyz Zharany for the period 2021–2026 was approved pursuant to Cabinet of Ministers Order No. 341 of 24 December 2021. In accordance with the same Order, an inter-agency commission was formed to coordinate the activities of government agencies and organizations to implement the action plan.

17. At the first meeting of the inter-agency commission, on 31 January 2023, the efforts made by ministries and agencies to implement the Kyrgyz Zharany (Citizen of Kyrgyzstan) Concept were considered. Based on the meeting’s outcomes, the ministries and agencies involved in the implementation of the Concept were given instructions on how to improve their efforts to develop civic identity, including by taking into account the issues and opinions of ethnic groups in the administrative decision-making process.

18. The Kyrgyz Zharany Concept is the main strategic document on issues relating to the State’s ethnic policy, the main objective of which it defines as building civic identity in Kyrgyzstan based on the unifying role of the State language – Kyrgyz – as the most important element in consolidating society, preserving ethnic diversity and ethnocultural specificities and developing multilingualism.

19. In order to strengthen national unity and inter-ethnic relations, since 2014 community liaison offices for inter-ethnic relations have operated in 23 multi-ethnic districts and towns as part of a system for rapid response to and prevention of inter-ethnic conflicts; these offices carry out preventive measures and monitoring in places inhabited by multi-ethnic communities to ensure effective cooperation with the civil sector.

20. In 2022, the 23 community liaison offices for inter-ethnic issues under the Ministry of Culture, Information, Sport and Youth Policy conducted 942 preventive activities relating to the early detection and prevention of inter-ethnic conflicts. These activities took the form of meetings and village gatherings with local residents, training sessions and seminars.

21. In order to strengthen national unity and develop civic identity, the Ministry of Culture, Information, Sport and Youth Policy, together with the Assembly of the Kyrgyz Nation and relevant ministries and agencies, organizes cultural events, round tables, conferences and forums with the participation of government agencies, local government bodies, civil society and representatives of ethnic communities.

### **Information on the implementation of article 3 of the Convention**

22. One of the key priorities of the National Development Strategy for the period 2018–2040 is to ensure civic integration, including by implementing relevant public policy

measures that focus on ensuring civil equality and full integration for all citizens of the country, regardless of ethnic origin or religion. Underpinning this work, among other principles, is that of recognizing unity in diversity, specifically by encouraging efforts of government authorities and local government bodies, political parties and other civil society institutions aimed at consistent implementation of the principle of unity in diversity (including with regard to cultural, age and other differences) in all areas, from personnel policy to long-term development plans.

### **Information on the implementation of article 4 of the Convention**

23. Legislative, judicial, administrative and other measures to ensure the implementation of article 4 of the Convention are based on article 24 of the Constitution and article 8 of the Code of Infractions.

24. Law enforcement agencies take action against manifestations of ethnic, racial, religious or interregional enmity. According to data from the Ministry of Internal Affairs, during the reporting period law enforcement units initiated 189 criminal cases (54 in 2019, 77 in 2020, 41 in 2021 and 17 in 2022) in relation to incidents of incitement to ethnic, racial, religious or interregional hostility (Criminal Code, art. 330).

### **Information on the implementation of article 5 of the Convention**

25. The State Legal Aid Act was passed to ensure the right of access to justice, the holding of fair trials and the establishment of a system for the administration of justice that is more effective, fair and accountable and based on the rule of law and the protection of fundamental human rights.

26. According to article 61 of the Constitution, all persons are guaranteed judicial protection of their rights and freedoms as provided for by the Constitution and laws of Kyrgyzstan, the international treaties to which it is a party and the generally recognized principles and norms of international law. The State ensures the development of non-judicial and pre-judicial methods, forms and means to protect human and civil rights and freedoms.

27. According to article 7 of the Code of Criminal Procedure, justice in Kyrgyzstan is administered in compliance with the principle of the rule of law, under which the individual and his or her rights and freedoms are recognized as supreme values.

28. According to article 23 (1) of the Constitution, human rights and freedoms are inalienable and attach to every person from birth. Human rights and freedoms are among the highest values of Kyrgyzstan. They are directly enforceable and determine the purpose and content of the activities of all government agencies and local government bodies and their officials.

29. Political rights, in particular the right to vote and to stand for election on the basis of universal and equal suffrage, to take part in government as well as in the conduct of public affairs at any level and to have equal access to public service, are guaranteed under article 37 of the Constitution.

30. The right to freedom of movement and residence within the borders of the State is governed by the Internal Migration Act. Thus, article 3 of the Act guarantees the human rights enshrined in the Constitution, notably the right to free choice of place of residence or stay, freedom of movement, and liberty and security of person, and states that discrimination of any kind and the infringement of rights and freedoms on the basis of origin, sex, race, ethnicity, language, faith, political or religious beliefs or any other conditions or circumstances of a personal or public nature are inadmissible.

31. In accordance with the Constitution and laws of Kyrgyzstan and the international human rights instruments to which it is a party and which have entered into force for the country under the legally established procedure, every Kyrgyz citizen has the right to freedom of movement and free choice of place of residence or stay throughout the territory of the

country. Kyrgyz citizens' right to freedom of movement and free choice of place of residence or stay within the borders of Kyrgyzstan may be restricted only as provided by law.

32. Persons who are not citizens of Kyrgyzstan and who are present lawfully in its territory also have the right to freedom of movement and free choice of place of residence or stay within the country's borders in accordance with the Constitution and laws of Kyrgyzstan and the international treaties to which it is a party and which have entered into force for the country under the legally established procedure.

33. Under article 9 of the Labour Code, every person has equal opportunities to exercise his or her labour rights and freedoms. No person's labour rights and freedoms may be restricted, nor may any person enjoy any advantage in exercising those rights and freedoms, on the basis of sex, race, ethnicity, language, origin, wealth or professional status, age, place of residence, attitude to religion, political beliefs, membership of civil society associations or any other considerations unconnected with the person's professional qualities and performance.

34. Persons who consider that they have been subjected to discrimination at work are entitled to apply to the courts for the restoration of their rights and compensation for material or moral harm. Under the Labour Code, "discrimination" means the restriction of citizens' labour rights on grounds unconnected with their professional qualities (i.e. on grounds of sex, age, ethnicity, language and wealth, among others).

35. Article 1 of the Family Code prohibits any form of restriction on the rights of citizens upon entry into marriage and in family relations on grounds of social, racial, ethnic, linguistic or religious affiliation.

36. All citizens living in Kyrgyzstan have the same rights to health care, as guaranteed in the Health Care Act. Under article 61 of the Act, citizens have an inalienable right to health care, which is upheld by granting equal opportunities in the exercise of the right to receive medical and social care to all citizens regardless of sex, race, ethnicity, language, social origin, professional status, place of residence, attitude to religion, beliefs, membership of civil society associations or other circumstances.

37. Each year, the Cabinet of Ministers approves a programme of State guarantees relating to the provision of medical care in order to uphold citizens' right to health care, improve access to medical services and make the social protection system for vulnerable groups more effective.

38. In 1996, Kyrgyzstan acceded to the Convention relating to the Status of Refugees of 23 June 1951 and the Protocol relating to the Status of Refugees of 31 January 1967, thereby assuming international obligations to work with asylum-seekers and refugees.

39. In 2002, the Refugees Act was adopted. The Act has been found by the Office of the United Nations High Commissioner for Refugees to meet international standards. Refugees in Kyrgyzstan are assured the necessary living conditions, such as the entitlement to live for three months in a place of temporary settlement; to choose as their place of permanent residence, from among those that are proposed, a community where relatives of theirs are residing, provided that the latter agree to cohabit with them; to seek employment or to engage in entrepreneurial activity in conformity with the country's legislation; and to acquire property under the terms established by law for foreign nationals and stateless persons.

40. Regulations on working with refugees in Kyrgyzstan, approved by a government decision, contain model certificates of registration of asylum application, model refugee status certificates, model documents and instructions for the application of the Refugees Act.

41. A total of 385 people applied for refugee status in Kyrgyzstan in 2021. The number of refugees in the country was 178 as at 1 January 2022 and 156 as at 1 January 2023, including:

- 72 adults and 22 minors from Afghanistan
- 43 adults and 61 minors from Syria
- 8 adults and 14 children from Ukraine

- 4 adults from Iraq
- 1 adult from Georgia
- 1 adult from Morocco
- 1 adult from Ethiopia

42. In general, the number of refugees in Kyrgyzstan is decreasing owing to their acquisition of Kyrgyz citizenship.

### **Information on the implementation of article 6 of the Convention**

43. In accordance with article 6 of the Convention, States parties are to ensure that all persons within their jurisdiction enjoy effective protection and remedies, through the competent national tribunals and other State institutions, against any acts of racial discrimination that violate their human rights and fundamental freedoms contrary to the Convention, in addition to the right to seek from such tribunals just and adequate reparation or satisfaction for any damage suffered as a result of such discrimination.

44. A legal framework has been established in Kyrgyzstan for the prevention of discrimination in the courts. Article 24 of the Constitution states: "In the Kyrgyz Republic, all persons are equal before the law and the courts." This principle is reflected in the relevant provisions of the Code of Criminal Procedure, the Constitutional Act on the Status of Judges, the Supreme Court and Local Courts Act, and the Judicial Code of Conduct.

45. Article 7 of the Code of Civil Procedure states that justice in civil cases is to be administered on the basis of equality before the law and the courts of all citizens regardless of sex, race, language, disability, ethnicity, religion, age, political or other beliefs, education, origin, wealth or other status, or other circumstances, and of all legal entities regardless of their form of ownership, location, corporate affiliation or other circumstances.

46. The reform of the judicial system is closely related to issues concerning the professional training of judges, including the introduction of juries. The Supreme Court has been working to promote the institution of a jury system since 2008, through seminars and training sessions. However, the introduction of juries has been suspended for technical reasons. This was first and foremost on account of the additional outlays that would be required for funding and infrastructure for properly equipped courtrooms.

47. The country has a sufficiently strong legal framework for preventing discrimination in the courts.

### **Information on the implementation of article 7 of the Convention**

48. According to article 13 of the Constitution, members of all the ethnic groups that make up the people of Kyrgyzstan are guaranteed the right to establish conditions for the preservation, study and promotion of their native languages.

49. Article 3 of the State Language Act establishes that the Kyrgyz language, as the State language, is also considered to be a language of inter-ethnic communication. Under article 6 of the Act, the State supports the acquisition by children of the State language in addition to their native language.

50. Article 4 of the State Language Act provides that having a State language is not an obstacle to the use of other languages in the country. Kyrgyzstan adheres to the principle of the free development of the languages of members of other ethnic groups living in the country.

51. In accordance with article 1 of the State Language Act, Kyrgyzstan guarantees members of all the ethnic groups that make up the people of Kyrgyzstan the right to preserve their native languages and to establish conditions for their study and promotion. The rights and freedoms of citizens may not be infringed on grounds of their not knowing the State or the official language.

52. The status of the Russian language as an official language was established in the Official Language Act of 2000; it serves as a language of inter-ethnic communication and promotes the country's integration into the world community (art. 1). The status of the Russian language is enshrined in the Constitution (art. 13).

53. The Code of Infractions also establishes liability for violations related to ethnocultural rights, i.e. violations of citizens' right freely to choose their language or the creation of obstacles to or restrictions on the use of a language (art. 108).

54. Students at 161 schools in Kyrgyzstan have the opportunity to study in the Uzbek language. These establishments include 22 Uzbek-only schools and 139 schools conducting education in a range of languages (Kyrgyz, Russian and Uzbek).

55. Many Uzbek schools, having opened Kyrgyz or Russian streams, are becoming mixed schools; this has been described – groundlessly – as the closure of schools with instruction in Uzbek. In reality, the Uzbek language is being maintained in schools, which are simply adding instruction in other languages. Against a backdrop of increased migration to the Russian Federation and other countries members of the Eurasian Economic Union, many Uzbek families now prefer to send their children to schools where classes are taught in Kyrgyz and Russian.

56. In accordance with the Constitution, nationwide examinations have been conducted in the State and official languages since 2014. In view of this, conducting examinations in the Uzbek language is not economically viable or justified.

57. The State is striving to implement a balanced language policy, that is, to form a new generation of trilingual Kyrgyz nationals speaking the State language, the official language and a foreign language, while ensuring the preservation of the native languages of the country's ethnic communities.

58. The introduction of multilingual education is part of a policy of integration in Kyrgyzstan and helps to prevent individuals and communities from becoming culturally and economically isolated and to promote the preservation of native languages together with a high level of mastery of the State language, the official language and foreign languages. This approach makes it possible to satisfy the basic rights of citizens to receive a quality education, on one hand, and to reduce the risks associated with insufficient knowledge of the State language and ensure the competitiveness of those graduating from the education system on the labour market, on the other.

59. Special attention must also be devoted to these issues in the light of an emergent social need to improve the quality of language education, including mastery of the State and official languages and enhancement of the conditions for teaching in native languages and learning foreign languages. This is a matter of mastering different languages not as a system of grammatical forms, but as an active means of communication and knowledge acquisition.

60. The demand for learning multiple languages in Kyrgyzstan is high and is related to the need both to communicate in a multilingual society and to use languages in developing a successful professional career. At the same time, according to various estimates, the share of the population actively using the State language, Kyrgyz, as a second language is between 4 and 10 percent, while about 30 per cent of people use the official (and international) language, Russian, in this manner and fewer than 1 per cent (0.5 per cent) use English. This situation has made it necessary to pilot new approaches in the country's education system. Efforts to establish multilingual education in Kyrgyzstan began in the mid-2000s and grew particularly relevant in the period 2010–2011, when questions were raised about a new phase in social integration, the possibilities offered by multicultural and multilingual education in the shaping of a culture of peace and non-violence and the limitations on career development and social engagement associated with insufficient command of the State language.

61. The Education Development Outline states that multiculturalism is a necessary characteristic of the educational environment for instilling in children the ability to live in today's diverse world. According to the Outline, the qualities of those graduating from the education system in 2020 will include respect for cultural, ethnic and political diversity.

62. The Government, by Decision No. 200 of 4 May 2021, approved a National Education Development Programme for 2021–2040 and an action plan for the implementation of the Programme for 2021–2023, which also includes a measure to support multilingual education in the country as a means of achieving social integration and cohesion and supporting linguistic diversity in the education system. Moreover, multilingualism and inclusive education are established as a priority area, with measures to increase students' access to multilingual education programmes.

63. Kyrgyzstan has the most developed legal and regulatory framework among the countries of Central Asia for the introduction of multilingual and multicultural education programmes.

64. Multilingual education programmes, in which some subjects are taught in the child's native or first language and others in a second, target language, are presently being piloted at 56 of the country's schools. Such programmes have been piloted in Kyrgyzstan since 2011 with a view to ensuring equal access to quality education in schools with different languages of instruction – Kyrgyz, Russian, Uzbek and Tajik. The programmes are enriching and facilitate the study of the State language for members of the country's other ethnic communities while simultaneously supporting native languages. Five preschools and 56 schools with various languages of instruction are taking part in the pilot on a voluntary basis.

65. The programmes' target languages are Kyrgyz and/or Russian. Schools where the language of instruction is Uzbek or Tajik tend to choose programmes that support the development of both languages. In 142 pilot classes, the target language is Kyrgyz; in 155 classes, it is Russian; and, in 9 classes, there are two target languages. There are 306 pilot classes with 8,598 pupils (about 20 per cent of the total number of pupils at the pilot schools). Some 368 teachers are directly involved in the pilot (approximately 12 per cent of all teachers at the pilot schools). An additional 150 teachers are engaged in teacher training and language training in schools in connection with the roll-out of the programmes of the Ministry of Education and Science.

66. Public libraries, as social institutions, respond proactively to developments in today's world; accordingly, they take into account in their activities, and support and encourage, cultural and linguistic diversity at the international, national and local levels. They engage actively with all social groups living in the country's regions. Public library holdings include literature in the languages of many of the world's peoples.

67. The activities of civic and digital education centres, open in all regions of the country, also actively contribute to the development of cultural diversity and the civic integration of local communities. In 2022, there were 71 such centres in all regions of the country, at libraries, youth and community centres and premises provided by local governments. This is a joint project of the Central Commission for Elections and Referendums and the Ministry of Culture, Information, Sport and Youth Policy. A priority area of activity for the civic and digital education centres in the context of civic education is the implementation of the Kyrgyz Zharany Concept, which is designed to form a basis for strengthening unity and harmony between citizens in Kyrgyzstan regardless of ethnic, religious, social or regional affiliation.

68. In addition to civic education, the centres provide digital education and improve the digital skills of the population, including for the use of State digital services. The centres are also a communication platform for the sharing of information, experience and practices between residents, young people and women deputies from different regions in relation to various issues. This project is being implemented with the support of the President and the Cabinet of Ministers. The key public sector partners in the project are the Ministry of Culture, Information, Sport and Youth Policy, the Ministry of Digital Development and the Ministry of Education and Science.

69. The collections of public libraries contain more than 460,000 documents in other languages and over 15 million in Russian. During the reporting period, almost 7 million items were issued in Kyrgyz, 10 million in Russian and approximately 800,000 in other languages. An average of 6.3 items per library user was issued in Kyrgyz, 9.37 in Russian and 0.7 in other languages.

70. The following organizations operate under the auspices of the Department of Cinematography:

- The national film production company, T. Okeev Kyrgyzfilm
- The national State film fund
- The C. Aitmatov National Film Centre
- 7 provincial and 24 district and municipal cinema directorates
- 38 State-owned cinemas
- 13 mobile cinemas

71. The national film production company, T. Okeev Kyrgyzfilm (established in 1941), produces feature and documentary films. The country's film distribution and exhibition system includes 38 State-owned and 9 private cinemas.

72. During the reporting period, Kyrgyz film-makers produced the following films calling for national unity in order to combat racial prejudice:

- *Esimde* (This Is What I Remember), directed by Aktan Arym Kubat, a 105-minute production in Kyrgyz with subtitles in Russian. The film was made as part of the Mekenim Kyrgyzstan (My Homeland Kyrgyzstan) project (2021) by T. Okeev Kyrgyzfilm.
- *Tabylga* (The Find), directed by Temir Birnazarov, a 90-minute production in Kyrgyz. The film was made as part of the Mekenim Kyrgyzstan project (2021), with technical support from T. Okeev Kyrgyzfilm.

73. One of the main tasks of theatres and performance institutions is to strengthen peace and harmony by promoting tolerance and mutual understanding and consolidating inter-ethnic harmony and cultural cooperation. The varied cultural institutions in Kyrgyzstan comprise:

- 704 cultural centres
- 1,065 libraries
- 65 museums
- 19 theatres
- 3 philharmonic orchestras
- 1 circus
- 1 art museum (the G. Aitiev Museum)

74. State-owned theatres stage productions aimed at strengthening national unity and developing inter-ethnic relations. In Osh Province, the Babur Academy Music and Drama Theatre stages shows in Kyrgyz and Uzbek. The show *Semetei syn Manasa* (Semetei, Son of Manas), in which Semetei is raised by his uncle, the Khan of Bukhara, was a hit.

75. To consolidate cultural cooperation, clubs conduct such events as Yr-Kese, Sarmerden, El ichi ònòr kenchi, Aiyl talantary and Nooryz, which are exhibitions and fairs where inhabitants from different ethnic groups demonstrate their customs and traditions and play their folk instruments. In addition, there are independent collectives and circles, such as the Pryalitsa Russian people's choir, the Uighur folk instrument ensemble, the Caucasian dance group, the Ukrainian choir, the Dungan folk instrument ensemble and other musical groups from various ethnic communities living in the Republic.

76. International cultural events are held in Kyrgyzstan, such as the World Nomad Games (2018), Epic Literature of the World's Peoples and the Oimo crafts festival, which contribute to the strengthening of friendship and understanding among nations.

77. The World Nomad Games, an international sporting competition dedicated to sports practised by ethnic groups, is a particular success both in Kyrgyzstan and internationally. The

event was inspired by the games that historically took place between the nomadic peoples of Central Asia.

78. The aims and purposes of the Games are:

- Preserving and reviving the cultures of the world's nomadic peoples by strengthening cultural ties among the countries taking part
- Preserving and showcasing internationally the sports of the world's nomadic peoples
- Supporting institutions whose activities are aimed at developing and promoting sports practised by ethnic groups

79. The World Nomad Games, which took place in the town of Cholpon-Ata in Issyk-Kul Province, were initiated by Kyrgyzstan. While athletes from 19 countries participated in the first Games (which were held from 9 to 14 September 2014), athletes from 68 countries participated in the second Games (held from 3 to 8 September 2016) and athletes from 77 countries in the third Games (held from 2 to 8 September 2018).

80. The games are accompanied by a varied ethnocultural programme. A yurt village was set up to host the programme in the Kyrchyn area, not far from Cholpon-Ata, and demonstrations were organized of various other sports not included in the competition programme, as well as theatrical representations reflecting the distinctive traditions and cultures of the Kyrgyz nation and other entertainment.

## **Part II**

81. Following the events of October 2020, which led to a change in the country's top political leadership, Kyrgyzstan, reaffirming its commitment to a policy of strengthening national unity and inter-ethnic harmony and building civic identity and to the development of sustained efforts to counter discrimination on ethnic, racial and other grounds, embarked on reform of the sociopolitical sphere, the law enforcement and security agencies, the judiciary, education and other areas of life in society, in accordance with the concluding observations.

82. One of the main priorities of the National Development Strategy for the period 2018–2040, approved by Presidential Decree No. 221 of 31 October 2018, is to ensure inter-ethnic harmony, strengthen national unity and protect the rights of citizens regardless of their ethnicity.

83. The Concept for the Development of the Civic Identity of the Kyrgyz Zharany for the period 2021–2026 was approved by Presidential Decree No. 39 of 13 November 2020 to elaborate and implement a priority section of the National Development Strategy, entitled "Civic Integration". The Kyrgyz Zharany Concept is a logical continuation of the previous Policy Framework on Strengthening National Unity and Inter-Ethnic Relations, which was approved by Presidential Decree No. 74 of 10 April 2013. The draft concept was discussed with the participation of a wide range of interested parties and entities, including representatives of civil society, ethnic communities, educational and scientific organizations and independent experts.

84. The Kyrgyz Zharany Concept was developed on the basis of the following principles: compliance with the constitutional provisions and laws of Kyrgyzstan; the equality of citizens of Kyrgyzstan and the prohibition of discrimination on grounds of ethnic, religious, social or regional affiliation; voluntary participation, respect for and recognition of diversity, ensuring a balance between the rights and duties of citizens and the positions of different groups holding different points of view; and collaboration and partnership among all stakeholders in developing and promoting civic identity and strengthening statehood.

85. The purpose of the Kyrgyz Zharany Concept is to create a favourable environment for the development and promotion of the civic identity of the Kyrgyz Zharany. The following areas of the Kyrgyz Zharany Concept have been identified as priorities for the achievement of this goal:

- Forming a conscious understanding of the civic identity of the Kyrgyz Zharany
- Strengthening the national unity of Kyrgyzstan, increasing tolerance and preserving respect for the values of diversity
- Developing and promoting the State language and preserving and developing multilingualism
- Creating a level playing field in terms of access to governance and decision-making processes
- Increasing trust in political institutions and public authorities

86. The Kyrgyz Zharany Concept is being implemented nationwide and across all sectors. Achieving the goal set in the Kyrgyz Zharany Concept is a long-term process that demands systematic efforts on the part of State, civil society, private and commercial bodies and the citizens of the country.

87. The principles of a just, democratic order, State and society, in which participation of and respect for the various ethnic communities and the full realization of their rights are enshrined in law – as recommended in the concluding observations – are reflected in article 23 of the Constitution: “Human rights and freedoms are inalienable and attach to every person from birth. They are recognized as absolute, inalienable and protected by law and the courts against infringement by others.” Article 24 of the Constitution states: “The Kyrgyz Republic shall ensure the protection of the rights and freedoms of all persons within its territory and under its jurisdiction. No one may be subjected to discrimination on the basis of sex, race, language, disability, ethnicity, religion, age, political or other beliefs, education, origin, wealth or other status or other circumstances. Those who commit acts of discrimination shall be liable to the penalties provided by law.”

88. In accordance with its statute, the Ministry of Culture, Information, Sport and Youth Policy is the competent body to implement State policy in relation to strengthening national unity and inter-ethnic relations and developing civic identity. In addition to implementing State policy on culture, information, sport and youth policy, the Ministry is responsible for strengthening inter-ethnic harmony and early detection and prevention of inter-ethnic conflicts, which is fully in line with the recommendations contained in the concluding observations for the establishment of an institution with a special mandate to address issues related to discrimination.

89. On the initiative of the President, a new version of Act No. 123 of 20 October 2021 on Local State Administrations and Local Government Bodies was developed and adopted, as a result of which local State administrations are taking measures to prevent and avoid inter-ethnic conflicts in their respective territories.

90. In accordance with the concluding observations and recommendations on eliminating socioeconomic differences between ethnic groups and territories and in order to improve the socioeconomic situation of the regions, the Zhogorku Kenesh, the legislature of Kyrgyzstan, by Resolution No. 4537-VI of 28 April 2021, approved a State Programme for the Security and Socioeconomic Development of Certain Border Areas of Kyrgyzstan with Special Status for the period 2021–2025.

91. Under the auspices of the United Nations Peacebuilding Fund, projects are being carried out to develop mountainous regions and communities on the plains with funding totalling US\$ 15 million from 2021 to 2026.

92. The National Development Strategy for the period 2018–2040 envisages measures for the development of regions, agriculture, energy and other strategic sectors of the country’s economy. The Strategy’s implementation will contribute to the elimination of socioeconomic disparities between ethnic groups and between rural and urban areas.

93. Kyrgyzstan has a quota for members of different ethnic groups in its highest elected democratic governance body, the Zhogorku Kenesh. This was one of the urgent measures taken to increase the participation of different ethnic groups in political and public affairs, as recommended in the concluding observations.

94. It is noted in this regard that, in order to ensure the effective functioning of the Zhogorku Kenesh and to improve the representation of ethnic minorities, pursuant to Constitutional Act No. 96 of 5 June 2017 amending the Constitutional Act on Presidential Elections and Elections to the Zhogorku Kenesh, amendments were made to oblige political parties to ensure when putting forward a list of candidates that at least 15 per cent of candidates on that list were of different ethnicities and that at least five of those candidates featured among the top 65 candidates on the list.

95. In connection with the adoption of a new version of the Constitution by referendum on 11 April 2021, the Constitutional Act on Presidential Elections and Elections to the Zhogorku Kenesh was again amended, in August 2021. The number of deputies of the Zhogorku Kenesh was reduced from 120 to 90 and the election procedure was changed. Deputies of the Zhogorku Kenesh are elected under a mixed system:

- 54 members are elected from a single constituency with open lists under a proportional system
- 36 members are elected from single-member constituencies under a majority system

96. At the same time, previous provisions aimed at increasing representation, including of ethnic minorities, in the lists of candidates put forward by political parties under the proportional system were retained.

97. Following the amendments made in 2021, political parties are required to take representation into account when drawing up their lists of candidates. Out of the 54 candidates:

- At least 15 per cent of the candidates must be of different ethnicities and at least three of those candidates must feature among the first 25 candidates on the list.

98. According to the Central Commission for Elections and Referendums, of the 120 deputies of the 6th Zhogorku Kenesh: 104 were of Kyrgyz ethnicity, 3 Russian, 2 Dungan, 3 Kazakh, 4 Uzbek, 2 Uighur, 1 Tajik and 1 Tatar, making a total of 16 representatives of other ethnic communities. At present, among the 90 deputies of the 7th Zhogorku Kenesh: 84 are of Kyrgyz ethnicity, 3 Dungan, 1 Tajik, 1 Uzbek and 1 Kazakh, making a total of 6 representatives of other ethnic communities.

99. Of the members of local councils, a total of 11 per cent are representatives of other ethnic groups: 1.1 per cent are of Russian ethnicity, 6.7 per cent Uzbek, 0.4 per cent Tajik, 0.4 per cent Kazakh and 2.2 per cent from other ethnic groups. At the same time, according to national statistics, as at 31 December 2021, 5.2 per cent of State and municipal administrative employees were from other ethnic groups: 3.1 per cent are of Russian ethnicity, 6.8 per cent Uzbek, 1.5 per cent Kazakh, 0.47 per cent Tajik, 0.3 per cent Uighur, 0.52 per cent Dungan, 0.2 per cent Tatar, 0.15 per cent Korean and 1.0 per cent members of other ethnicities.

100. In its concluding observations, the Committee encouraged Kyrgyzstan to take concrete measures to ensure adequate representation of different ethnic groups in elected and executive bodies, in law enforcement agencies and in the judiciary.

101. The maintenance of women's representation among parliamentary deputies in Kyrgyzstan is ensured in legislation and, if the term of office of a female deputy elected from the single constituency ends prematurely, her seat passes to the next in line from among the female candidates. Similar provisions are set out in the Local Council Elections Act. When forming lists of candidates for municipal councils, political parties must ensure that no more than 70 per cent of persons included are of the same sex and that there are no more than two positions between men and women on the lists. Seats must be assigned to candidates from a list in accordance with the order in which they appear on that list as established at the time of registration of the list with the relevant local election commission.

102. In the case of elections of members of rural councils, multi-seat electoral districts are formed and at least 30 per cent of seats in each rural council are reserved for women. The procedure for reserving rural council seats for women was introduced pursuant to Act No. 117 of 8 August 2019 amending the Local Council Elections Act.

103. As at 31 December 2022, the representation of ethnic communities in the State and municipal civil service in Kyrgyzstan was as follows:

- Of 17,302 State civil servants, 625 (4.1 per cent) were from different ethnic groups.
- Of 9,983 municipal civil servants, 823 (9.08 per cent) were from different ethnic groups.

104. Special attention is devoted to ensuring that different ethnic communities are represented in law enforcement agencies. The Ministry of Internal Affairs conducts an annual analysis of, inter alia, the ethnic composition of and gender equality among officers of internal affairs agencies. As at 1 December 2022, 3.1 per cent of such persons were from different ethnic groups.

105. The ethnic composition of the staff of the Supreme Court is as follows: the judges include members of two ethnic communities; the senior administrative staff, four; and the technical staff, three.

106. Armed forces personnel are mostly of Kyrgyz, Russian or Uzbek ethnicity.

107. A public advisory council on inter-ethnic relations has been established within the Ministry of Culture, Information, Sport and Youth Policy. It comprises:

- 33 members at the national level;
- 323 members at the regional level in 23 multi-ethnic districts and towns, of whom 166 are of Kyrgyz ethnicity, 46 Uzbek, 16 Russian, 8 Dungan, 4 Kazakh, 11 Uyghur, 12 Tajik and 60 from other ethnicities. The main task of the councils and community liaison offices is to promote the preservation and strengthening of inter-ethnic harmony, to foster a negative response in society to shows of intolerance, humiliation and discrimination on grounds of ethnicity and to make proposals for eradicating manifestations of nationalism and extremism in everyday life.

108. An important role in strengthening inter-ethnic harmony, unity and peace and social stability is performed by the Assembly of the Kyrgyz Nation, a civil society organization bringing together 29 ethnic civil society associations; its highest calling is to serve peace, harmony and unity.

109. In May 2019, the ninth regular session (*kurultai*) of the Assembly of the Kyrgyz Nation was held, marking a new chapter in the Assembly's development and the beginning of a process of renewal and reflection on the role and place of the Assembly in the country's multi-ethnic society. Over the reporting period, the Assembly has firmly established itself as a valuable forum for inter-ethnic dialogue.

110. Pursuant to Presidential Decree No. 38 of 13 November 2020 on increasing the role and status of the Council of the People's Assembly of Kyrgyzstan, the Council of the Assembly was given a new status as a consultative and advisory body to the President, providing fresh impetus to coordination between government agencies and ethnic cultural centres on issues relating to the strengthening of national unity. Thanks to the Presidential Decree, the Assembly has consolidated its position as a leading actor on ethnic issues and a tool for carrying out State policy on ethnicity in society at large, with new opportunities to boost its activities by building relations based on constructive cooperation and partnership with bodies from all branches of government.

111. Previously, the Assembly was the only institution in the country that addressed ethnic issues. After 2010, there appeared State entities with responsibility for inter-ethnic relations (presently, the Ministry of Culture, Information, Sport and Youth Policy). The State is thus refining the institutional mechanisms for managing ethnic issues.

112. All participants in criminal proceedings in Kyrgyzstan enjoy equal rights and have equal opportunities to exercise their procedural rights at all stages of the criminal process. There have been no reported instances of violations by judicial bodies of the right to a fair trial in criminal cases connected with the June 2010 events.

113. On instructions from the President, on 15 April 2021 the State Committee on National Security resumed the investigation of a criminal case brought under article 337 (4) of the

Criminal Code (Abuse of official position) against officials of the Interim Government for facilitating the unimpeded illegal departure from the country of the notorious Kadyrzhan Batyrov, which was one of the factors leading to the tragic events that occurred between May and June 2010 in the south of the country. In the pretrial proceedings, the causes and conditions that contributed to the outbreak of mass disturbances in Osh and Jalal-Abad Provinces between May and June 2010 are being investigated. A final legal assessment has now been made of the actions of members of the Interim Government, heads of the security forces and provincial officials who failed to take appropriate measures to prevent the tragic events.

114. As a result of the investigations conducted into the 5,642 criminal cases initiated by the country's law enforcement agencies in relation to the events of June 2010 in Osh and Jalal-Abad Provinces, proceedings have been discontinued in 13 cases and suspended in 3,919 cases, 1,391 cases have been joined with other criminal cases and 319 cases have been sent for trial. In the suspended cases, appropriate inquiries are being conducted with a view to shedding light on the crimes.

115. In the concluding observations, concern was expressed about the prevalence of stereotyping and stigmatization of ethnic minorities, as well as the incidence of the use of hate speech against them in the media and by public and political figures. The State Committee on National Security monitors the media for racist statements and provocative calls. There are currently no recorded cases of racist statements in the media or of instances of incitement to hatred (on the part of politicians or public figures).

116. Concern was also expressed in the concluding observations about the limited number of complaints of racial or ethnic discrimination received by the community liaison offices for inter-ethnic issues in the 23 multi-ethnic districts and towns. It should be noted that relevant State bodies take action to prevent and avoid discrimination against ethnic groups on a continuous basis as part of a system for the early detection and prevention of inter-ethnic conflicts. The elements of this system are as follows: public advisory councils on inter-ethnic relations, the community liaison offices for inter-ethnic issues and the Monitoring Centre of the Ministry of Culture, Information, Sport and Youth Policy. The community liaison offices for inter-ethnic issues work together with local government bodies, local authorities and law enforcement agencies to prevent inter-ethnic tension. Principal secretaries provide practical assistance to the local population in solving problems of an inter-ethnic nature and in implementing the Kyrgyz Zharany Concept.

117. Over the period from January to December 2022, principal secretaries of community liaison offices for inter-ethnic issues conducted 942 preventive events, and 167 applications by citizens were registered. In Bishkek, Osh and all provinces, more than 450 round tables, educational seminars and training sessions held as part of the Kyrgyz Zharany Concept were attended by more than 8,500 citizens, including:

- Heads of local government bodies and their deputies
- State and municipal civil servants
- Young leaders of local community peacebuilding clubs
- Members of the Association for Women's Democracy
- Representatives of the media
- Representatives of the education sector

118. In the concluding observations, it was also noted with concern that lesbian, gay, bisexual and transsexual persons belonging to ethnic minorities are subjected to multiple forms of discrimination and to a range of human rights violations by State and non-State actors, often acting with impunity, and that women and children belonging to ethnic minorities are subjected to intersecting forms of discrimination on grounds of sex, race, ethnicity and age. The foundations of gender equality in Kyrgyzstan are laid down in the Constitution, which establishes:

- Equality of rights and freedoms for men and women and equal opportunities for their realization

- The inadmissibility of discrimination on the basis of sex, race, language, disability, ethnicity, religion, age, political or other beliefs, education, origin, wealth or other status or other circumstances.
- The prohibition of advocacy of ethnic, racial or religious hatred, of gender or any other social supremacy and of calls for discrimination, hatred and violence

119. Equal rights for citizens regardless of race, national or ethnic origin or language are established by all legislative acts, including criminal procedure and civil procedure law. Despite the efforts of the State to eradicate racial discrimination, this problem persists in Kyrgyzstan; this is a consequence of the differing mentalities and religions of the peoples inhabiting the country. In this regard, the draft national plan of action for gender equality for the period 2022–2024 provides for the development of anti-discrimination legislation by an inter-agency working group. Attempts to ensure the implementation of anti-discrimination legislation are also being made by the legislature. For example, a deputy of the Zhogorku Kenesh has presented a bill on ensuring the right to equality and protection from discrimination.

120. Freedom of expression and freedom of information are among the fundamental human rights guaranteed by both the country's basic law and a number of international human rights treaties, and play a key role in the development of a democratic society. The Constitution gives everyone the right freely to seek, receive, store, use and impart information either orally or in writing or through any other media. At the same time, it obliges citizens to respect the rights, freedoms, honour and dignity of others. Any citizen against whom an accusation is made, in public or otherwise, has the right to protect his or her honour, dignity, professional reputation and rights. Every citizen has the right to receive information about the activities of government agencies, local government bodies and their officials, legal entities involving government agencies and local government bodies and organizations financed from the national and local budgets. All persons are guaranteed access to information administered by government agencies and local government bodies and their officials. The procedure for the provision of information is determined by law. No one may be subjected to criminal prosecution for disseminating information defaming or diminishing the honour and dignity of a person.

121. Under article 32 of the Constitution, advocacy of ethnic, racial or religious hatred, of gender or any other social supremacy and calls for discrimination, hatred and violence are prohibited.

122. Article 23 of the Media Act includes a list of certain prohibitions, which specifies information not subject to public dissemination.

123. No cases of intimidation or unlawful harassment of civil society representatives, human rights defenders or journalists by officers of the State Committee on National Security have been recorded.

124. The Committee expressed concern in its recommendations about the significant decline in Uzbek language instruction in schools and the unsatisfactory provision of the technical and human resources necessary for teaching that language. The Committee was also concerned that the abolition in 2015 of university admission tests in the Uzbek language had resulted in discrimination against children whose education was partially delivered in that language (art. 5). In accordance with the Constitution, the State language in the Republic is Kyrgyz and Russian is used as an official language. Kyrgyzstan guarantees members of all the ethnic groups that make up the people of Kyrgyzstan the right to preserve their native languages and to establish conditions for their study. The country has 602 general education establishments that teach in two or more languages (Kyrgyz, Russian, Uzbek and Tajik). Moreover, under the core curriculum for general education establishments teaching in Uzbek, which is approved annually by the Ministry of Education and Science, between two (final years) and seven hours per week are set aside for study of the Uzbek language, and one to two hours per week for Uzbek literature.

125. However, in higher education institutions the language of instruction is Kyrgyz or Russian. Uzbek is studied only as part of the philology curriculum. The admission capacity for the specialization "Philology (Uzbek)" is no more than 50 places.

126. Statistics show that each year between 44,000 and 51,000 school-leavers sit the nationwide examinations, of whom approximately 61 per cent take the test in Kyrgyz and 39 per cent in Russian.

127. Given the limited opportunities for using Uzbek in tertiary-level studies, sitting the nationwide examinations in Russian or Kyrgyz provides those graduating from schools teaching in Uzbek with a wider range of options, not only among higher education institutions in the Kyrgyz Republic but also among foreign institutions, thus expanding their access to professional education.

128. In order to promote multilingualism and preserve the native languages of ethnic groups in Kyrgyzstan, an International Mother Language Day month is announced annually, in the context of which ethnic communities organize events in their native languages.

129. The languages of ethnic minorities in Kyrgyzstan are widely employed in places densely populated by those communities. This is due to the fact that Kyrgyzstan is a multi-ethnic country with more than 100 ethnic groups represented.

130. In the concluding observations, it is noted with concern that more than 800 cases of persons with undetermined nationality remain unresolved in the country. The legal status of stateless persons in the country is regulated by the Kyrgyz Citizenship Act, the Legal Status of Foreign Nationals Act and the International Migration Act, under it is equivalent to that of foreign nationals.

131. In accordance with the Legal Status of Foreign Nationals Act, foreign nationals and stateless persons enjoy the same rights and have the same responsibilities as citizens of Kyrgyzstan, except in the cases established by law or in international treaties to which it is a party and which have entered into force for the country under the legally established procedure. Under national legislation, stateless persons have the right to apply for Kyrgyz citizenship and, if citizenship is granted, to obtain national passports, or to apply for residence permits as stateless persons.

132. In 2019, Kyrgyzstan was recognized as the first country in history to have resolved all identified cases of statelessness. Kyrgyzstan was able to achieve this outcome thanks to the long and fruitful work of all stakeholders, including civil society, the Government and international organizations. The Ministry of Digital Development has prepared a bill to amend the Citizenship Act, the proposed wording of which provides for amendments to the definition of a stateless person, the reduction of the period of residence required for stateless persons applying for citizenship under the usual procedure to three years and changes to the conditions for acquiring citizenship by birth. With a view to the protection of human rights, the bill to amend the Citizenship Act has been analysed in order to assess its compliance with international human rights standards and with the recommendations of international human rights mechanisms; the resulting analysis is under consideration by the Ministry of Digital Development.

133. On 13 March 2019, Kyrgyzstan ratified (No. 34) the Convention on the Rights of Persons with Disabilities, which was adopted by the United Nations General Assembly on 13 December 2006 and signed by Kyrgyzstan on 21 September 2011. Consideration of the International Convention for the Protection of All Persons from Enforced Disappearance is currently in progress and the Convention is included in the 2023 workplan of the coordinating council on human rights attached to the Cabinet of Ministers. In this regard, it should be noted that in view of the proposals received from members of the coordinating council regarding accession by Kyrgyzstan to the Convention, the State Committee on National Security has already expressed its agreement to such a step, with the caveat that Kyrgyzstan should not be bound by the provisions of article 42 (1) (Rome Statute of the International Criminal Court) and should not make the declarations under article 31 (recognizing the competence of the Committee to receive and consider communications from individuals) and article 32 (the right to consider inter-State complaints) of the Convention.

134. In order to eradicate racism, racial discrimination, xenophobia and related intolerance and to prevent future manifestations of those phenomena in Kyrgyzstan, measures are being taken at the level of local communities with the participation of human rights leaders from non-governmental organizations. Local government bodies and civil society institutions

continually conduct information campaigns in local communities aimed at promoting human rights and respect for the honour and dignity of the individual.

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