



Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General
21 June 2023
English
Original: Russian
English, French, Russian and
Spanish only

Committee on the Elimination of Discrimination against Women

Information received from Kyrgyzstan on follow-up to the concluding observations on its fifth periodic report*

[Date received: 15 May 2023]

* The present document is being issued without formal editing.



Information on the steps taken to implement the concluding observations of the Committee on the Elimination of All Forms of Discrimination against Women on the fifth periodic report, contained in paragraphs 12 (b), 18 (b), 22 (b) and 26 (e)

General information

This information has been prepared in accordance with paragraph 55 of the concluding observations of the Committee on the Elimination of Discrimination against Women (the Committee) ([CEDAW/C/KGZ/CO/5](#)) and includes information on the implementation by the Kyrgyz Republic of the Committee's recommendations contained in paragraphs 12 (b), 18 (b), 22 (b) and 26 (e).

The information was prepared by the Ministry of Labour, Social Security and Migration with the participation of representatives of State agencies of the Kyrgyz Republic.

In the process of preparing the information, discussions and consultations were held with the Ombudsman and the Kyrgyz National Centre on Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, and an approval procedure was completed with the members of the Coordinating Council on Human Rights.

The senior leadership of the Kyrgyz Republic has expressed the political will to work actively to combat discrimination against women in all its manifestations.

Those efforts are demonstrated by the State strategy documents that have been developed and adopted since the issuance of the concluding observations and that establish a set of targets on combating violence and gender equality and plans to achieve those targets, as well as by the practical measures taken pursuant to the Committee's recommendations.

The Coordinating Council on Human Rights spearheaded the adoption of the action plan on human rights for 2022–2024, which includes a range of tasks aimed at ensuring and protecting rights, including protecting women from discrimination.

Cabinet of Ministers Decision No. 513 of 16 September 2022 approved the national gender equality strategy for the period to 2030 and the national gender equality plan for 2022–2024, which sets out five main priorities:

- Economic empowerment of women
- Cultural policy and functional education
- Strengthening protection against gender discrimination and equitable justice
- Promoting gender parity in decision-making and increasing women's political participation
- Regulatory policy

The Ministry of Labour, Social Welfare and Migration has submitted to the Presidential Administration a draft plan of measures for the implementation of the concluding recommendations of the Committee on the Elimination of All Forms of Discrimination against Women on the fifth periodic report of the Kyrgyz Republic.

Paragraph 12 (b) The Committee recommends that the State party address the barriers to women's and girls' access to justice, including by ensuring that all women and girls have effective access to affordable – or if necessary, free – legal assistance, including by reviewing the Act on Guaranteed State Legal Aid, adequately funding

and subsidizing the premises and utility costs of legal aid centres, and increasing the number of centres in rural areas.

Under article 61 (4) of the Constitution, every citizen has a right to legal assistance from qualified professionals. In the instances stipulated by law, legal assistance is funded by the State.

Taking this recommendation into account, on 10 August 2022 a new version of the Act on Guaranteed State Legal Aid was adopted, under which qualified legal aid is provided, regardless of income, to victims of family violence involved in criminal, civil and administrative legal proceedings.

In addition, by Order No. 557 of 7 October 2022 of the Cabinet of Ministers on the Legal Aid Service under the Ministry of Justice of the Kyrgyz Republic, the staffing of the Legal Aid Service has been increased, specifically through the provision of coordinators at the district level. This will make counselling and qualified legal assistance available in all districts.

Pursuant to the Act on Guaranteed State Legal Aid, four offices providing free legal aid are operating in Bishkek.

In cooperation with the Organization for Security and Cooperation in Europe Programme Office, mobile police reception centres have been operating throughout the country since 2011, the main purpose of which is to provide the public with access to internal affairs bodies, especially in remote regions.

In order to improve measures to prevent, suppress and combat domestic violence, and to provide timely, multifaceted assistance to citizens throughout the country, the Ministry of Internal Affairs has approved a directive on the organization and activities of mobile police reception centres (Order No. 283 of 8 April 2022 of the Ministry of Internal Affairs of the Kyrgyz Republic).

There are currently 58 mobile police reception centres across the country. This mechanism enables local police officers to work on building a relationship of trust with local populations. There is a real opportunity to reduce crime rates and implement preventive measures, including for the prevention of domestic violence.

The Office of the Mayor of Bishkek provides assistance to pay for utilities for the Sezim Crisis Centre, a community organization, for which 73.9 million soms were allocated in the city budget in 2022. In turn, the Centre provides women victims of violence with shelter and psychological and legal assistance.

Since 12 March 2021 the city has had a municipal institution called the Ayalzat Assistance Centre for women with children who are victims of domestic violence (Ayalzat), with capacity for 50 persons. The main tasks of Ayalzat are to provide temporary shelter to women with children who are victims of domestic violence, to help them improve their social, psychological and material conditions, and to protect their rights and interests in legal proceedings.

In order to provide free legal assistance to victims of violence, the Ombudsman and the Centre for Coordination of Guaranteed State Legal Aid under the Ministry of Justice have entered into a memorandum of cooperation in this area, based on which legal aid is provided to citizens free of charge.

In order to cooperate in the area of the right to protection from domestic violence, the Ombudsman has also concluded a memorandum with the Sezim Crisis Centre, which provides not only shelter but also psychological and social assistance to victims of domestic violence and persons in precarious living conditions.

There are currently 18 crisis centres in operation nationwide that provide temporary shelter and legal, medical and psychological assistance to women who are victims of domestic violence. One of these is a municipal centre.

Under the national budget, crisis centres that provide social services to victims of domestic violence under the authority of the State agency responsible for gender policy and coordination on protection from domestic violence have been allocated the following amounts annually:

- 2018: 2,534,175 soms
- 2019: 4,159,975 soms
- 2020: 2,165,113 soms
- 2021: 1,547,376 soms
- 2022: approximately 7 million soms

For the current year, 10 crisis centres have been selected for funding, including 7 projects to provide services to survivors of gender and family violence and 3 projects to conduct intervention programmes for abusers.

A total of 7 million soms have been allocated for this purpose in 2023.

Paragraph 18 (b) Adopt temporary special measures, in accordance with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, as a necessary strategy to accelerate the achievement of substantive equality between women and men in all areas of the Convention in which women are underrepresented or disadvantaged, in both the public and private sectors, especially at the decision-making level, and with particular attention to women belonging to ethnic minority groups, women with disabilities and older women.

The Constitution contains provisions on the principle of equal rights and opportunities for women and men and special measures introduced in accordance with international obligations. Election laws based on the Constitution have established a basis for increasing women's participation in political life and decision-making.

Under article 24 (3) of the Constitution, men and women have equal rights and freedoms and equal opportunities to exercise them.

Article 37 (3) of the Constitution provides that citizens of the Kyrgyz Republic have equal rights and opportunities when entering public civil and municipal service, and are given promotions in the manner prescribed by law.

Equal rights and opportunities for women and men to participate in public bodies and administration in the Kyrgyz Republic are supported through a set of special measures. The requirement that no more than 70 per cent of posts be held by persons of the same sex is set out in articles 10, 23 and 24 of the Act on State Guarantees of Equal Rights and Opportunities for Men and Women and implemented in the form of quotas for judges of the Supreme Court (including the Constitutional Chamber of the Supreme Court), the Central Election Commission, the Audit Chamber and deputies of the Ombudsman (Akyikatchy).

Reserved seats for women have been established by electoral legislation at the national and local levels since 2007, when the requirement was first introduced that political party lists must have no more than 70 per cent of candidates of the same sex and the difference in order of ranking of women and men in the list must not exceed three positions. In 2011, article 49 (7) of the Act on Elections of Local Council Deputies established a similar requirement for the drawing up of political parties' candidate lists for district and city councils, and the allowable difference between the ranking of women and men in the candidate lists was reduced to two positions.

In 2021, the Constitutional Act on the Elections of the President of the Kyrgyz Republic and Representatives to the Zhogorku Kenesh of the Kyrgyz Republic was significantly amended to increase the representation of the parliament.

Under the new Constitution of the Kyrgyz Republic, the number of representatives in the Zhogorku Kenesh was reduced from 120 to 90 representatives.

A mixed system for the election of members of the Zhogorku Kenesh was introduced, with 36 representatives elected under the majority system and 54 representatives under the proportional system.

At the same time, the former rules aimed at increasing representation in drawing up candidate lists of political parties under the proportional system, which provided for quotas for women, were retained.

As a result, under the legislation, in drawing up lists of candidates for city councils (kenesh), political parties must ensure that the representation of persons of the same sex does not exceed 70 per cent, while the difference in the order of ranking in the lists of candidates of women and men nominated by a political party must not exceed three positions.

Moreover, in order to ensure representation by women in parliament, the amendments also provided for special measures in the form of a rule that at least 30 per cent of seats won by political parties in elections must be reserved for women.

The introduction of these measures for the 2021 parliamentary elections led to an increase in the number of women representatives in parliament: 18 women were elected under the proportional representation system, and 1 woman under the majority system. As a result, 19 seats are held by women, which is 21 per cent of the total number of representatives (in 2020, the representation of women in parliament was 15.83 per cent of 120 seats).

In 2019, to increase the representation of women on local councils (kenesh), a rule was introduced that at least 30 per cent of seats in rural council elections in each electoral district should be reserved for women.

In addition, a rule was introduced that in determining election results, women candidates must first be allocated the seats that by law are reserved for women in electoral districts. Women candidates who receive the highest number of votes relative to other women candidates are elected.

Amendments were made to articles 591 and 62 of the Act on Elections of Local Council Deputies.

This law was first implemented in the elections for 448 local councils held in 2021, which made it possible to achieve representation of women deputies in local councils of 38.76 per cent.

Before the new law was introduced, women's representation in local councils was only 9.6 per cent.

Article 3 of the State Civil Service and Municipal Civil Service Act of 27 October 2021 enshrines the principles of the State civil service and municipal civil service, one of which is equal access for citizens to employment, regardless of sex, race, language, disability, ethnicity, religion, age, political or other opinion, origin, property or other status.

In order to promote gender equality and increase women's political participation, a programme on women's leadership will be developed in the current year that includes special measures to ensure gender representation in political State

and municipal posts and in administrative State and municipal posts (with neither sex accounting for over 70 per cent).

The introduction of special measures to ensure gender representation in political, administrative State and municipal posts will make it possible to achieve gender parity in State bodies and municipal services at all levels.

The Kyrgyz Republic has made progress in recent years in combating violence against women by adopting laws and implementing regulations. However, there is still much work to be done to combat violence and stereotypes that affect women and children.

Paragraph 22 (b) Recalling its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, the Committee recommends that the State party pursue its efforts to prevent, protect and assist victims, as well as to prosecute and adequately punish perpetrators, of bride kidnapping, in accordance with the Committee's recommendations in its report on its inquiry under article 8 of the Optional Protocol to the Convention ([CEDAW/C/OP.8/KGZ/1](#)).

The Constitution (art. 26) establishes the principle that the family is formed on the basis of the voluntary marriage of a man and a woman who have reached the legal age of marriage. Marriage is not allowed without the consent of both persons entering into the marriage.

Factors such as increasing poverty and a family's desire to get rid of a girl, early sexual activity among young people amid insufficient knowledge about family planning, and the increasing influence of religions that allow girls to marry at an early age all contribute to the increase in the number of child marriages. It is not uncommon for child marriages to result from the forced abduction of girls for marriage.

In order to prevent child marriage and forced marriage and to reduce the number of girls dropping out of schools and the number of divorces, by Order No. 25 of the Cabinet of Ministers of 25 January 2023, a plan of action on the prevention of child marriage and forced marriage for 2023–2024 was approved.

The plan provides for the improvement of regulations to eradicate child marriage and forced marriage by monitoring the law enforcement practices in criminal cases under articles 172, 173, 174 and 178 of the Criminal Code (at the investigation stage and in court); it provides for the prevention of child marriage and forced marriage by increasing the capacity of authorities to enforce the law on marriageable age, informing the population about the liability for violation of the marriage laws of the Kyrgyz Republic and building a culture of intolerance towards cases of marriage with underage persons and forced marriage.

In May and June 2022, the Ministry of Labour, Social Security and Migration, the body responsible for gender policy and child protection, together with the Ministry of Education and Science and the State Commission on Religious Affairs, conducted public dialogues in all regions, that is, informational meetings and events to discuss the problem of religious beliefs and patriarchal cultural norms of parents and the problem of high school girls dropping out due to early marriage, as well as possible joint actions to prevent this harmful practice.

The participants in the public dialogues were representatives of State bodies involved in education, gender policy and religious policy, regional education departments, local governments, school administrations, the Spiritual Directorate of Muslims, local imams, religious leaders, and local non-governmental organizations and activists working to protect children's rights and combat gender discrimination and violence.

The public dialogues included an exchange of views on the problems of girls dropping out of school due to early marriage and their parents preventing them from attending school owing to their religious beliefs, as well as the sharing and discussion of informational materials on the topic (videos, infographics, statistics and research data).

In order to improve preventive work among the population, in 2022, district police commissioners and juvenile affairs inspectors of the internal affairs agencies carried out 10 informational events at which district police commissioners delivered reports to the public with information about the crime situation in new buildings and villages and information was provided to the public on the following:

- Prevention of domestic violence
- Prevention of early forced marriage with persons under the age of 18

It was explained to the public that the persons involved could be criminally liable for forced marriage and child marriage. Representatives of local government authorities, district departments for social development, local administrative offices for new buildings, residents of new buildings, community-based organizations, and officials from the Ministry of Internal Affairs, the Centre for Research into Democratic Processes and other State agencies were invited to the events.

To implement Order No. 64 of 28 January 2019 of the Ministry of Internal Affairs on a “unified day of prevention”, national preventive measures are carried out on a monthly basis with the participation of all internal affairs services as well as State bodies and community associations.

Internal affairs officers systematically conduct explanatory work with the local population (at village meetings, in educational institutions, at various gatherings and as part of their regular duties at the stations where they are posted) aimed at eradicating forced marriage and child marriage. This work is carried out with the participation of voluntary associations, youth groups and various councils.

Meetings are held on a regular basis with leaders of voluntary associations and diaspora groups that are members of the Assembly of the People of Kyrgyzstan and the State agency for the civil service and local government under the Cabinet of Ministers.

The press service of the internal affairs agencies of the Kyrgyz Republic regularly holds press conferences and organizes briefings for representatives of the mass media at which information is provided about high-profile cases that have received public attention and outreach is conducted by senior staff members of the internal affairs agencies.

Officials of the internal affairs agencies of the Kyrgyz Republic carry out preventive measures on an ongoing basis through conversations, gatherings, meetings, conferences and other activities aimed at explaining to citizens the criminal liability for acts of domestic violence against children and women and forced child marriages.

Below are several examples of activities carried out by internal affairs officers across the country.

Nationwide, books on violence prevention were presented to police officers. Classes were held for district police commissioners and juvenile affairs inspectors in order to enhance their professional skills and provide training on the prevention of domestic violence, ways of assisting women and children victims of violence and the identification of cases of child marriage. District police commissioners and juvenile affairs inspectors are also distributing a manual on standard operating procedures for

basic law enforcement and justice services for women and children who are victims of violence, which was prepared at the initiative of the public safety service of the Ministry of Internal Affairs. Events are being held in all regions of the Kyrgyz Republic.

As part of a working visit, officials from the Ministry of Internal Affairs held meetings with citizens and explained the rights and responsibilities of parents and children. The main goal of the meetings was to prevent domestic violence, child marriage, gang fights between students at school and bullying. These events also covered topics in other areas in response to questions asked by citizens and by students from schools and universities. An interview was also conducted on the subjects of children's rights and responsibilities in the prevention of crime and delinquency, advice about the negative impact of games and movies on the Internet, and the relationship between parents and children.

On 22 March 2022, a concert entitled "Life without Violence" was held in Bishkek, organized by a hip hop dance troupe and the Ministry of Internal Affairs with financial support from the United States Embassy in the Kyrgyz Republic as part of the Saferworld project together with the Foundation for Tolerance International.

The participants performed a specially staged number called "stop the violence". Three short pieces used dance to depict forms of violence in the family and school. Major dance studios from Bishkek also joined this initiative.

The main goal of the organizers was to raise public awareness about the problems of domestic violence and child marriage. The goal was to confront attitudes, negative stereotypes, prejudices, and the pressures on young people to demonstrate their masculinity or femininity, which lead to conflict and violence.

The organizers took the initiative to promote social partnership between the police and the community as well as preventive activities to address the problem of violence.

Paragraph 26 (e) Recalling its general recommendation No. 23 (1997) on women in political and public life, the Committee recommends that the State party remove any restrictions on the activities of women human rights defenders and create an enabling environment to promote their participation in political and public life, including by ensuring their protection from gender-based violence and reprisals.

The development of democratic principles, the strengthening of the rule of law, and the promotion and protection of human rights and freedoms, freedom of speech and peaceful assembly, and other universal rights in the Kyrgyz Republic are irreversible. This is evidenced by constitutional provisions, laws and developments in public policy.

As is set out in the Constitution:

- Under article 39, everyone has the right to freedom of peaceful assembly. No one may be compelled to participate in an assembly.
- Under article 24, the Kyrgyz Republic ensures the protection of the rights and freedoms of all persons within its territory and subject to 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.

Article 32 contains a provision that prohibits propaganda fomenting national, racial or religious hatred or gender-based or other types of social supremacy, or calling for discrimination, hostility or violence.

The Peaceful Assembly Act was adopted in 2012 to ensure the constitutional right to freedom of peaceful assembly of citizens in Kyrgyzstan. The main purpose of the law is to guarantee the freedom of expression of citizens and to ensure the right to peaceful assembly without violence or arbitrary interference by the State.

The Cabinet of Ministers of the Kyrgyz Republic has a Coordinating Council on Human Rights whose functions include the improvement of mechanisms to protect human and civil rights and freedoms and the implementation of international human rights obligations, as well as the coordination of government agencies in preparing reports on the implementation of international human rights treaties.

There are several institutions in the Kyrgyz Republic that deal with peaceful assemblies and ensuring the right of citizens to freedom of opinion and expression.

The Ministry of Internal Affairs is responsible for the regulation of peaceful assemblies. Its duties include the supervision of large gatherings, including peaceful assemblies, and ensuring the safety and protection of participants in rallies and demonstrations.

The Ombudsman monitors citizens' rights to freedom of opinion and expression, including the right to peaceful assembly, and assists citizens if their rights are violated.

There are non-profit organizations and social movements that work to protect the rights of citizens to freedom of opinion and expression, including the right to hold peaceful assemblies.

In general, peaceful assemblies in the Kyrgyz Republic are held relatively freely and peacefully. The authorities usually designate special sites for large gatherings, and participants in rallies and demonstrations usually have no problem obtaining the relevant permits.
