



Committee on Economic, Social and Cultural Rights**Concluding observations on the fourth periodic report of
Kyrgyzstan***

1. The Committee considered the fourth periodic report of Kyrgyzstan¹ at its 37th and 38th meetings,² held on 12 September and 13 September 2024, and adopted the present concluding observations at its 59th meeting, held on 27 September 2024.

A. Introduction

2. The Committee welcomes the submission by the State party of the fourth periodic report and the supplementary information provided in the replies to the list of issues.³ The Committee expresses appreciation for the constructive dialogue that it held with the State party's delegation. It welcomes the oral presentation by the delegation and the further clarifications provided in response to the questions posed orally by the Committee during the dialogue.

B. Positive aspects

3. The Committee welcomes the legislative, institutional and policy measures taken to increase the protection of economic, social and cultural rights in the State party, such as the adoption of human rights action plans for the periods 2019–2021 and 2022–2024, national programmes to improve access to employment and social protection, and other measures mentioned in the present concluding observations. The Committee also welcomes the ratification by the State party of the Convention on the Rights of Persons with Disabilities, in 2019.

C. Principal subjects of concern and recommendations**Domestic application of the International Covenant on Economic, Social and Cultural Rights**

4. While noting that the International Covenant on Economic, Social and Cultural Rights forms an integral part of the State party's national legal framework, in accordance with article 6 (3) of its Constitution, and the State party's efforts to review its legal and regulatory framework,⁴ the Committee is concerned that the provisions of the Covenant are rarely invoked in or applied by domestic courts.

* Adopted by the Committee at its seventy-sixth session (9–27 September 2024).

¹ [E/C.12/KGZ/4](#).

² See [E/C.12/2024/SR.37](#) and [E/C.12/2024/SR.38](#).

³ [E/C.12/KGZ/RQ/4](#)

⁴ *Ibid.*, paras. 5–9.



5. **The Committee recommends that: (a) the State party intensify its efforts to familiarize judges, lawyers, public officials, civil society organizations and the general public with the Covenant and the justiciability of the rights therein; and (b) the State party's ongoing efforts to review its legal and regulatory framework ensure the full incorporation of and compliance with the provisions of the Covenant. The Committee draws the State party's attention to its general comment No. 9 (1998) on the domestic application of the Covenant.**

Independence of the judiciary

6. The Committee notes with concern reports about shortcomings in the independence and impartiality of the judiciary, in particular due to the President's role in selecting and appointing judges and the allegations of corruption and political interference in judicial cases. The Committee expresses concern that, under the law of 2023 on amendments to the law on the Constitutional Court, the President can request the Constitutional Court to revise and annul its decisions, including in cases where the President finds a decision of the Constitutional Court to be in contravention of the moral values or public consciousness of the people of Kyrgyzstan.

7. **The Committee recommends that the State party take all measures necessary to ensure the impartiality and independence of the judiciary, as a means of safeguarding the enjoyment of human rights, including economic, social and cultural rights. In particular, it recommends that the State party address corruption in the judiciary and take legislative measures to prevent undue interference by the executive and legislative bodies in the activities of the judiciary, in particular in the selection, appointment and removal of judges and with respect to non-interference in the decisions of the Constitutional Court. The Committee refers the State party to the Basic Principles on the Independence of the Judiciary and the Guidelines on the Role of Prosecutors, and to the Human Rights Committee's related recommendation.⁵**

National human rights institution

8. The Committee notes with concern the lack of progress in ensuring the full independence of the Office of the Ombudsperson (Akyikatchy) and deeply regrets the parliament's early dismissal of the Ombudsperson, Atyr Abdrakhmatova, on 3 May 2023. The Committee is concerned about reports of interference in the Ombudsperson's independent work, including reports of intimidation and harassment from the National Security Forces, the State Civil Service Agency and the General Prosecutor's Office, as also raised by special procedure mandate holders.⁶ The Committee regrets the long delays in amending the law on the ombudsperson and the insufficient resources for the Ombudsperson's Office to effectively implement its mandate.

9. **The Committee recommends that the State party:**

(a) **Amend the law on the ombudsperson to ensure full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), and ensure that the independence of the Ombudsman's Office is respected in law and in practice;**

(b) **Increase the human and financial resources allocated to the Ombudsperson's Office for it to effectively and independently carry out its mandate, including the promotion and protection of economic, social and cultural rights.**

Human rights defenders, civil society and journalists

10. Noting the prosecution of human rights defenders in relation to their participation in peaceful protests, the Committee remains concerned about:

⁵ CCPR/C/KGZ/CO/3, para. 38.

⁶ See communication KGZ 1/2023, available at <https://spcommreports.ohchr.org/Tmsearch/TMDocuments>.

(a) The disproportionate obligations under the Non-Profit Organizations Act, as amended in April 2024, that require all non-profit organizations created on the territory of the State party that receive foreign funding and engage in broadly worded “political activities” to register in the public Registry of Non-Profit Organizations Performing Functions of Foreign Representatives, label all materials as disseminated “by a foreign representative” and submit annual audit reports in addition to other reports required under the law;

(b) The disproportionate obligations and undue restrictions on journalists and media outlets that were proposed in the previous version of the draft law on mass media, while noting that a revised version with input from civil society and the media is currently under consideration by the presidential administration;

(c) The reports of harassment, intimidation and reprisals against, as well as cases of arrests, detention and trials of, journalists and human rights defenders, including those working to defend economic, social and cultural rights and those advocating for the rights of minorities and LGBTQI+ persons.

11. The Committee recommends that the State party:

(a) **Revise, in consultation with civil society, its legislative framework, including the existing Non-Profit Organizations Act, so as to remove the disproportionate and discriminatory obligation of being registered in the Registry of Non-Profit Organizations Performing Functions of Foreign Representatives if a civil society organization receives foreign funding and is engaged in broadly worded “political activities”, abolish undue restrictions on civil society organizations’ operational autonomy, including the extrajudicial suspension of their operations by the Ministry of Justice and eventual liquidation through a court suit, and ensure that the State party’s laws and policies guarantee an environment in which civil society organizations are enabled to freely carry out their activities without undue control, interference or restrictions;**

(b) **Ensure that the draft law on mass media is adopted by the parliament as revised in close consultation with civil society and media representatives, and ensure that the State party’s legislative framework enables favourable conditions for journalists and media outlets to carry out their activities without undue control, interference or restrictions;**

(c) **Effectively address cases of harassment, intimidation and reprisals against journalists and human rights defenders by government authorities and private persons or entities, and prevent cases of judicial harassment against them, ensuring that the State party’s laws are not used to prosecute and punish them for their legitimate activities;**

(d) **Be guided by the Committee’s statement on human rights defenders and economic, social and cultural rights.⁷**

Business and economic, social and cultural rights

12. While noting the efforts to develop a national action plan to implement the Guiding Principles on Business and Human Rights, the Committee is concerned about the absence of a regulatory framework that foresees legal obligations for businesses under the State party’s jurisdiction to exercise human rights due diligence. The Committee expresses concern about the detrimental impact of extractive activities and development projects on the environment and livelihoods of local communities, and notes with concern that there are no effective human rights and environmental impact assessments and consultations with affected local communities. The Committee also expresses concern about the persistent adverse effects of industrial pollution and ground contamination, noting that the law of 2019 on the prohibition of activities related to the geological study of subsurface resources for the purpose of prospecting, exploration and development of uranium and thorium deposits was repealed on 13 June 2024 without public consultations with affected communities.

⁷ E/C.12/2016/2.

13. **The Committee recommends that the State party:**

(a) **Enact legislation and a comprehensive regulatory framework on human rights due diligence, making it compulsory for State-owned and private business enterprises operating or domiciled in the State party's jurisdiction to identify, prevent, mitigate and address environmental harm and abuses of economic, social and cultural rights in their operations;**

(b) **Expedite the adoption of the draft national action plan on business and human rights, ensuring broad consultations with civil society, social partners, experts and the local population, taking into account the "Guidance on national action plans on business and human rights" of the Working Group on the issue of human rights and transnational corporations and other business enterprises;**

(c) **Carry out systematic and independent human rights and environmental impact assessments, in consultation with affected communities, in the context of large-scale development, investment and natural resource exploitation projects, and provide information to the public, in a transparent and comprehensive manner, on the impact of such projects on the enjoyment of economic, social and cultural rights and on the environment, in particular regarding activities related to the geological study of extractive resources for the purpose of prospecting, exploration and development of uranium and thorium deposits;**

(d) **Be guided by the Committee's general comment No. 24 (2017) on State obligations under the Covenant in the context of business activities.**

Climate change mitigation

14. The Committee welcomes the State party's plans to further decrease its relatively low greenhouse gas emissions and achieve carbon neutrality by 2050 and its efforts to transition to a green economy, as described by the State party delegation. However, the Committee notes with concern that current emission-reducing policies may not be sufficient for the State party to fulfil its obligations under the Paris Agreement, taking into account the projected increase in carbon emissions as a result of the State party's economic development programmes and energy production (art. 2 (1)).

15. **The Committee recommends that the State party: (a) continue taking measures to reduce greenhouse gas emissions and achieve its nationally determined contributions under the Paris Agreement; (b) incorporate climate change mitigation measures into its economic development programmes and accelerate its efforts to transition to alternative and renewable energies; and (c) ensure that all measures taken in response to climate change mitigation respect economic, social and cultural rights.**

Maximum available resources

16. The Committee is concerned about: (a) insufficient social spending as a percentage of gross domestic product (GDP) allocated to key public sectors, such as social security, health and education, which are vital for the enjoyment of economic, social and cultural rights; and (b) the lack of progressivity in personal income taxes in the wider context of an unequal distribution of wealth in the State party (art. 2 (1)).

17. **The Committee recommends that the State party: (a) increase the level of social spending as a percentage of GDP, in particular on social security, housing, healthcare and education, paying particular attention to disadvantaged and marginalized individuals and regions with high levels of unemployment and poverty; and (b) review its taxation and fiscal policies, making them more efficient, progressive and socially just and increasing the mobilization of national economic resources to close existing gaps and improve their redistributive effect.**

Corruption

18. While noting the information on the measures taken to combat corruption, including the adoption of anti-corruption laws and examples of prosecutions brought in corruption cases, the Committee is concerned that the law of 2022 on public procurement eliminates

competitive selection and procurement commissions, thereby undermining transparency and heightening the risk of corruption. The Committee is also concerned about the inadequate implementation of anti-corruption measures and the consequently high prevalence of corruption at all levels and in all sectors (art. 2 (1)).

19. **The Committee recommends that the State party, as a matter of priority, take all measures necessary to address the root causes of corruption, to ensure the strict application of measures adopted to combat corruption and to fight effectively against the impunity enjoyed by perpetrators. It also recommends that the State party take all measures necessary to ensure transparency in the public administration and protect anti-corruption activists, whistle-blowers, witnesses and journalists who report on corruption.**

Non-discrimination

20. The Committee remains concerned about the structural inequalities and persistent discrimination that hinder the equal enjoyment of economic, social and cultural rights without discrimination on the basis of ethnicity, sex, religion, economic status, age or other status, including sexual orientation or disability. The Committee expresses concern about delays in the adoption of anti-discrimination legislation (art. 2).

21. **The Committee recommends that the State party take all measures necessary to address structural inequalities and prevent and combat persistent discrimination, including by developing and implementing strategies that are based on comprehensive analysis of the needs of the most disadvantaged and marginalized groups and supplemented by disaggregated data in the areas of economic, social and cultural rights. The Committee also recommends that the State party adopt a comprehensive anti-discrimination law that: (a) provides sufficient protection against discrimination in accordance with article 2 of the Covenant; (b) explicitly includes all prohibited grounds of discrimination enumerated in that article and as elaborated in the Committee's general comment No. 20 (2009) on non-discrimination in economic, social and cultural rights, including sexual orientation and gender identity; (c) defines direct and indirect discrimination in line with the State party's obligations under the Covenant; (d) prohibits discrimination in the public and private spheres; and (e) provides for effective remedies in cases of discrimination.**

Discrimination based on sexual orientation and gender identity

22. The Committee notes with concern that, despite its previous recommendations, in 2023, the State party enacted into law sanctions for persons who disseminate information that "denies family and traditional social values and promotes non-traditional sexual relations", which may aggravate already high levels of discrimination against LGBTQI+ persons. The Committee expresses concern about discriminatory restrictions on the health and bodily autonomy of transgender persons, including the law on the protection of the health of citizens, under which the minimum age for accessing gender-affirming care in the State party has been increased to 25 (arts. 2 and 12).

23. **The Committee recommends that the State party repeal all legislative provisions that discriminate against LGBTQI+ persons and that it take legislative measures to prohibit in law all forms of discrimination based on sexual orientation and gender identity. In particular, the Committee recommends that the State party: (a) repeal the legal amendments, as adopted in 2023 by the law introducing amendments to several legal acts, that provide for sanctions for persons who disseminate information that "denies family and traditional social values and promotes non-traditional sexual relations"; (b) revise the law on the protection of the health of citizens and take all measures necessary to guarantee the right of transgender persons to health and bodily autonomy without discrimination, including by removing disproportionate legal and administrative barriers to legal gender recognition and by facilitating access to healthcare, including sexual and reproductive health services and gender-affirming medical services.**

Equal rights of men and women

24. While noting the efforts made by the State party to strengthen its legislative and institutional framework to guarantee men and women's equal enjoyment of economic, social and cultural rights, the Committee is concerned about:

(a) The persistence of obstacles faced by disadvantaged and marginalized groups of women to the equal enjoyment of their economic, social and cultural rights, including employment, education, health and access to land and property ownership;

(b) The prevalence of deeply rooted patriarchal attitudes and gender role stereotypes in the State party, which constitute an obstacle to the equal enjoyment by women of economic, social and cultural rights;

(c) The persistence of gender pay and pension gaps, due to vertical and horizontal gender segregation in the labour market, and the overrepresentation of women in low-paid work and in the informal economy;

(d) The low representation of women at all levels of public administration, in particular in the parliament and the Government, and in senior and decision-making positions in the public and private sectors (art. 3).

25. **The Committee recommends that the State party:**

(a) **Intensify its efforts to achieve substantive equality in the enjoyment of economic, social and cultural rights between men and women, including by tackling structural causes of inequality and taking targeted measures for disadvantaged and marginalized groups of women such as women living in rural areas, women belonging to ethnic minority groups, migrant women, older women and women with disabilities;**

(b) **Intensify its activities to counter discriminatory stereotypes and patriarchal attitudes regarding the roles and responsibilities of women and men in society and in economic life, including by conducting campaigns and other awareness-raising activities to counter stereotypes in schools and for the population in general;**

(c) **Take effective measures to increase women's participation in the labour market, especially in rural areas, accelerate women's transition to formal work, ensure that maternity protections for working women also apply in the informal economy, accelerate efforts to close the gender pay gap and promote the equitable distribution of domestic and care work between women and men, including by expanding the use of parental leave by men, introducing flexible working arrangements and increasing efforts to ensure the availability, accessibility and affordability of childcare and education services throughout the State party;**

(d) **Promote the increased representation of women at all levels of public administration, in particular in the parliament and the Government, and in senior and decision-making positions in the public and private sectors;**

(e) **Be guided by the Committee's general comment No. 16 (2005) on the equal right of men and women to the enjoyment of all economic, social and cultural rights.**

Right to work

26. While noting the efforts to reduce unemployment, including by vocational training of unemployed persons to meet the skilled worker needs of the labour market, the Committee remains concerned about reports of persistently high unemployment and economic inactivity rates in the State party, especially among young people, women, persons with disabilities and LGBTQI+ persons. The Committee expresses concern about the insufficient efforts undertaken to address job losses triggered by the coronavirus disease (COVID-19) pandemic. Finally, the Committee notes with concern that asylum-seekers are unable to access employment while their asylum applications are being processed (art. 6).

27. **The Committee recommends that the State party increase its efforts to reduce unemployment by implementing public sector employment schemes, vocational training programmes and partnerships with the private sector, while ensuring that its**

policies tackle the root causes of unemployment, paying particular attention to young people, women, persons with disabilities and LGBTQI+ persons. It also recommends that the State party tackle the job losses triggered by the COVID-19 pandemic, paying special attention to the situation of migrant workers and the sectors of the population most affected by unemployment. The Committee further recommends that the State party revise its legislation to facilitate the right to work for asylum-seekers. The Committee refers the State party to its general comment No. 18 (2005) on the right to work.

Right to just and favourable conditions of work

28. The Committee welcomes the State party's ratification of the International Labour Organization (ILO) Violence and Harassment Convention, 2019 (No. 190), and notes the information provided by the State party in relation to measures taken to strengthen the investigations of working conditions and to improve workers' occupational health and safety. Nevertheless, the Committee remains concerned about the poor and substandard working conditions in certain sectors and in the informal economy, in particular the reported prevalence of occupational diseases, injuries and fatalities due to unsafe working conditions (art. 7).

29. **The Committee recommends that the State party intensify its efforts to carry out labour inspections, especially targeting the agricultural, mining, construction and development sectors and the informal economy, investigate complaints brought by workers, impose effective sanctions on employers who fail to guarantee working conditions in compliance with the regulations, including regarding occupational health and safety, and ensure that all victims have effective access to remedies. The Committee also recommends that the State party expeditiously approve the draft amendment to the law on the procedure for conducting inspections of business entities to eliminate the requirement for 10 days' advance notice of a visit by labour inspectors. The Committee further recommends that the State party ratify the ILO Domestic Workers Convention, 2011 (No. 189), the Occupational Safety and Health Convention, 1981 (No. 155), and the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187). The Committee refers the State party to its general comment No. 23 (2016) on the right to just and favourable conditions of work.**

Minimum wage

30. The Committee expresses concern that the minimum wage, set at 35 per cent of the subsistence level in accordance with the Act on the 2019 National Budget, remains insufficient to ensure a decent standard of living for workers and their families (art. 7).

31. **Recalling its general comment No. 23 (2016) on the right to just and favourable conditions of work, the Committee recommends that the State party, in collaboration with social partners, raise the minimum wage and regularly adjust it to the cost of living so as to ensure a decent living for workers and their families. The Committee also recommends that the State party ensure full compliance with the minimum wage for all workers in all sectors and in all forms of employment.**

Wage arrears

32. While noting the measures taken by the State party to recover the unpaid wages of workers from employers, the Committee notes with concern the cases of wage arrears concerning workers, including reported cases of non-payment of salaries by foreign businesses operating in the State party's mining and construction sectors (art. 7).

33. **The Committee recommends that the State party ensure the effective monitoring of the payment of wages and other entitlements by employers and provide for: (a) appropriate and dissuasive sanctions against employers in case of violations; and (b) redress for workers in the form of full payment of overdue wages, as well as fair compensation for losses incurred on account of delayed payments.**

Informal economy

34. The Committee is concerned that the State party continues to have one of the highest levels of informal employment rates in the region and that the large number of workers in the informal sector of the economy are not covered by labour laws or the social security system, which particularly affects workers in rural areas (art. 7).

35. **Recalling its previous recommendation,⁸ the Committee recommends that the State party ensure that labour and trade union rights, as well as social rights and benefits that are tied to employment, fully apply in the informal economy, including by regularly conducting labour inspections in the informal economy. The Committee also recommends that the State party facilitate the transition of workers from the informal to the formal sector of the economy and that it take into consideration the ILO Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204).**

Trade union rights

36. The Committee notes that the draft law on trade unions, which proposed undue restrictions on trade union rights in the State party in contravention of international norms and standards, was vetoed in 2021 and thereby did not enter into force. It remains concerned, however, that the State party's legislative framework does not guarantee the rights of workers to form and join trade unions of their choosing and to collective bargaining and to strike, nor does it guarantee the rights of trade unions to free registration and to establish and join the federation of their own choosing. The Committee is especially concerned about reports of judicial harassment, including cases of arrests, prosecutions and detention of trade union leaders and members, notably those working to defend the rights of workers in the mining sector (art. 8).

37. **The Committee recommends that the State party adopt a legislative framework on trade unions in conformity with international norms and standards, including the provisions of article 8 of the Covenant, in consultation with representatives of all trade unions, that guarantees the right of workers to freely form and join the trade union of their choice, the rights to collective bargaining and to strike, and the rights of trade unions to free registration and to establish and join the federation of their own choosing. The Committee also recommends that the State party ensure that there is no undue interference with trade union activities and that it take all measures necessary to ensure that trade union leaders and members are able to carry out their activities in a climate free of intimidation, violence and harassment, including judicial harassment, through arrests, prosecution and detention of trade union leaders and members. The Committee refers the State party to the ILO Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the joint statement by the Committee and the Human Rights Committee on freedom of association, including the right to form and join trade unions, adopted in 2019.⁹**

Right to social security

38. While noting the measures taken to provide access to contributory pensions, State benefits and basic and mandatory health insurance, the Committee remains concerned about: (a) the inadequate allocation of public funds for social security; (b) the insufficient coverage of the population under social security schemes, noting that approximately 70 per cent of the working age population in the State party neither receive employment-based entitlements nor are eligible for social assistance, either because they cannot access contributory social security schemes due to their legal status (asylum-seekers and stateless persons) or not being registered in formal employment, or because they are not covered by the non-contributory social security schemes, which remain underdeveloped; and (c) the particularly low coverage of unemployment, disability, maternity and child benefits and inadequate benefits for those few who are receiving them (art. 9).

⁸ E/C.12/KGZ/CO/2-3, para. 11.

⁹ E/C.12/66/5-CCPR/C/127/4.

39. **The Committee recommends that the State party intensify its efforts to improve its social protection programmes, including by: (a) allocating sufficient budgetary resources to social security; (b) guaranteeing universal coverage and providing sufficient and equitable social protection for all persons, including those in the informal economy and those belonging to the most disadvantaged and marginalized groups, including low-income families, persons with disabilities, children, refugees, asylum-seekers and stateless persons; (c) reviewing and removing undue barriers to accessing social security and ensuring that those benefits are indexed to the cost of living so that they are set at levels that ensure an adequate standard of living for beneficiaries. The Committee refers the State party to its general comment No. 19 (2007) on the right to social security and its statement on social protection floors as an essential element of the right to social security and of the Sustainable Development Goals.¹⁰**

Protection of the family and children

40. While noting the legislative and policy measures taken by the State party for the protection of the family, children, women and girls, the Committee remains concerned: (a) about the prevalence of domestic violence and harmful practices against women and girls despite legal prohibition and criminalization, including cases of early marriage, forced marriage and so-called bride-kidnapping; and (b) that there are many women in unregistered marriages who cannot benefit from the protection of the law, as they cannot request alimony or other benefits stipulated in the Family Code in the event of the dissolution of the marriage, nor can they prove their parental rights and claim custody of their children without the father's confirmation (art. 10).

41. **The Committee recommends that the State party intensify its efforts to combat domestic violence and harmful practices against women and girls, in particular early marriage, forced marriage and so-called bride-kidnapping, including by effectively enforcing their criminalization, providing shelters and support for affected women and girls, including kidnapped women and girls who have been rejected by their families, and carrying out awareness-raising campaigns on the illegality of these practices. Recalling its previous recommendations, the Committee also recommends that the State party remove barriers so as to ensure that women in non-registered marriages can prove their parental rights and claim custody of their children without the father's confirmation, and ensure that those women are fully protected should their non-registered marriages be dissolved.¹¹**

Economic exploitation of children

42. Despite the State party's efforts to protect children, the Committee is seriously concerned about the high prevalence of economic exploitation of children, including reports of the worst forms of child labour in the agricultural and informal sectors (art. 10).

43. **Recalling its previous recommendations, the Committee recommends that the State party ensure that economic exploitation of children and the use of children in hazardous work and the worst forms of child labour are explicitly prohibited and criminalized, in accordance with international standards.¹² The Committee also recommends that the State party develop a strategy with sufficient resources for the elimination of economic exploitation of children, including by increasing labour inspections, requiring businesses to conduct due diligence throughout their operations and supply chain to avoid business engagement in exploitation, holding employers accountable for violations of employment legislation and carrying out awareness-raising campaigns. The Committee also refers the State party to the related recommendations of the Committee on the Rights of the Child.¹³**

¹⁰ E/C.12/2015/1.

¹¹ E/C.12/KGZ/CO/2-3, para. 8.

¹² Ibid., para. 14.

¹³ CRC/C/KGZ/CO/5-6, paras. 43 and 44.

Right to adequate housing

44. While noting the measures taken by the State party to make available housing loans through international technical cooperation in order to increase home-ownership rates, the Committee remains concerned about the insufficient availability of affordable housing in the State party, including as a result of the inadequate development of social housing. The Committee notes with concern the disproportionate effect of the insufficient availability of affordable housing on disadvantaged and marginalized groups, putting them at risk of homelessness. Furthermore, the Committee is concerned about the lack of adequate legal protections against forced evictions and the reported prevalence of arbitrary land expropriations and forced evictions that have resulted in homelessness (art. 11).

45. The Committee recommends that the State party intensify its efforts to increase the availability of adequate and affordable housing, in particular by adopting a law on social housing and expanding the supply of social housing, paying particular attention to members of disadvantaged and marginalized groups, including persons living in poverty, women who are single heads of households, persons with disabilities, migrants, refugees, asylum-seekers, children leaving institutions, and former detainees. The Committee also recommends that the State party take the legislative and administrative steps necessary to guarantee the availability of effective legal safeguards against arbitrary land expropriation and forced evictions, ensuring by law that evictions, when unavoidable, are carried out in accordance with due process of law, are preceded by consultation with the persons concerned and consideration of alternatives, are subject to appeal and result in adequate compensation or the provision of adequate alternative housing. The Committee refers the State party to its general comments No. 4 (1991) on the right to adequate housing and No. 7 (1997) on forced evictions.

Access to safe drinking water and sanitation

46. While noting the measures taken by the State party through international technical cooperation, the Committee remains concerned that the supply of safe drinking water and sanitation facilities remains limited, especially in rural areas, and that efforts and investment to increase access to safe drinking water and sanitation remain inadequate (art. 11).

47. The Committee recommends that the State party intensify its efforts to ensure the realization of the rights to water and sanitation, in particular by implementing targeted programmes in rural areas and providing adequate resources for their effective and expeditious implementation. The Committee refers the State party to its general comment No. 15 (2002) on the right to water.

Poverty

48. While noting the progress made in recent years by the State party in addressing poverty, the Committee remains concerned that poverty and extreme poverty rates remain high, in particular among disadvantaged and marginalized populations, and that approximately one in three persons in the State party live in poverty. The Committee notes with concern the additional impact of the COVID-19 pandemic and the impact of regional and global conflicts on increased poverty rates in the State party, given its economic model relying on the extractive and tourism sectors and on remittances from migrant workers (art. 11).

49. The Committee recommends that the State party intensify its efforts to combat poverty, in particular extreme poverty, by adopting a multidimensional national action plan to eradicate poverty and to address both the root causes of poverty and the additional impact of global and regional crises, ensuring the inclusion of clear and measurable targets and the allocation of adequate resources for its implementation. The Committee also recommends that the State party take targeted measures to support groups who are disproportionately affected by poverty, in particular children, single-parent families, older persons, persons with disabilities, migrant workers and their families, and ethnic minorities. The Committee refers the State party to its

statement on poverty and Covenant¹⁴ and to the report of the Special Rapporteur on extreme poverty and human rights on his visit to the State party.¹⁵

Right to adequate food

50. The Committee acknowledges the measures taken to address the negative impact of frequent natural disasters on the availability of food and the measures taken by the State party to improve access to adequate food and nutrition through international technical cooperation. It remains concerned, however, about the growing problem of food insecurity in the State party, which has been exacerbated by natural disasters, rising food prices and the depreciation of the national currency, noting that almost half of the population, in particular those living in poverty or just above the poverty line, cannot meet their daily nutritional requirements despite spending most of their income on food. The Committee notes with concern reports indicating that about three out of four households in the State party cannot afford an adequate diet or to consume nutrient-rich foods, with the most of their calorie intake being based on wheat, potatoes and sugar (arts. 11 and 12).

51. **The Committee recommends that the State party adopt a comprehensive national strategy for the protection and promotion of the right to adequate food, in consultation with the relevant stakeholders, to effectively combat food insecurity, all forms of malnutrition (undernutrition, micronutrient deficiencies and overweight/obesity) and ill health linked to an unhealthy diet, incorporating trade, land management, education and fiscal policy elements and setting clear, time-bound targets and establishing appropriate mechanisms to assess progress. The Committee refers the State party to its general comment No. 12 (1999) on the right to adequate food and the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security of the Food and Agriculture Organization of the United Nations.**

Climate change adaptation

52. The Committee notes that Kyrgyzstan remains one of the countries in the region that is most vulnerable to climate change, according to scientific reports, and expresses concern about the lack of sufficient climate change adaptation measures to prevent and address relevant socioeconomic challenges such as potential loss of livelihoods, community displacements and food and energy insecurity as a result of climate change (art. 11).

53. **The Committee recommends that the State party strengthen its climate change adaptation efforts aimed at preventing and addressing the adverse impact of climate change on the population and reducing the vulnerability of communities, including for those whose livelihood is dependent on climatic conditions, such as agricultural workers. The Committee also recommends that the State party continue to take climate change adaptation measures in consultation with affected communities, including with a view to improving the diversity and resilience of its economy and ensuring energy security, food security and the structural safety of houses and infrastructure.**

Right to physical and mental health

54. While noting the measures taken to make healthcare and services available and accessible including through the compulsory health insurance system, the Committee is concerned about:

- (a) The healthcare facilities and services in the State party that are not of adequate quality, and the insufficient number of qualified medical staff, especially in rural areas;
- (b) The high out-of-pocket payments in healthcare, which disproportionately affect disadvantaged and marginalized populations;

¹⁴ A/CONF.191/BP/7.

¹⁵ A/HRC/53/33/Add.1.

(c) The persistent discrimination in access to healthcare experienced by LGBTQI+ persons, persons with disabilities, women involved in sex work and persons living with HIV/AIDS (art. 12).

55. **The Committee recommends that the State party:**

(a) **Increase the level of the budget allocated to the healthcare sector with a view to improving the accessibility, availability and quality of healthcare services, including by improving the primary healthcare infrastructure and ensuring that hospitals and clinics throughout its territory, including in rural areas, have the necessary qualified medical personnel, supplies and medicines;**

(b) **Expand the scope and coverage and improve the quality of the physical and mental health services provided under the national health insurance, with a view to eliminating the socioeconomic disparities in access to healthcare services and to ensuring that primary healthcare is provided to all persons living in the country without discrimination;**

(c) **Ensure that LGBTQI+ persons, persons with disabilities, women involved in sex work and persons living with HIV/AIDS have access to healthcare without discrimination, including by establishing adequate training programmes for medical personnel at different levels in order to combat stereotyping and stigmatization and providing them with the knowledge and tools necessary to offer adequate care, including with regard to the protection of privacy;**

(d) **Be guided by the Committee's general comment No. 14 (2000) on the right to the highest attainable standard of health.**

Sexual and reproductive health

56. While noting the measures taken by the State party, the Committee is concerned: (a) about the persistently very high maternal mortality and morbidity rates in the State party, which are among the highest in the region; (b) that girls under 18 years of age are restricted from accessing sexual and reproductive healthcare services and information without parental consent; and (c) that women's and girls' access to affordable, modern contraceptives remains limited, in particular in rural areas (art. 12).

57. **The Committee refers the State party to its general comment No. 22 (2016) on the right to sexual and reproductive health, and recommends that the State party take all measures necessary to: (a) prevent maternal mortality and morbidity, taking into account the technical guidance provided by the Office of the United Nations High Commissioner for Human Rights on the application of a human rights-based approach to the implementation of policies and programmes to reduce preventable maternal morbidity and mortality;¹⁶ (b) provide confidential access for everyone, including adolescents, to sexual and reproductive healthcare services and information, including contraceptives and timely, affordable and safe abortion services and post-abortion and obstetric care, duly taking into consideration the World Health Organization abortion care guideline;¹⁷ and (c) ensure the accessibility and availability of appropriate, good-quality sexual and reproductive healthcare services and information, in particular for those living in rural areas, including by ensuring that these services are fully covered by health insurance.**

Drug policies and the right to health

58. While acknowledging that the State party takes measures to provide drug replacement therapies, the Committee notes with concern the limited availability, accessibility and quality of harm reduction programmes and specialized healthcare services available to persons who use drugs. The Committee expresses concern about the excessive fines imposed on persons

¹⁶ [A/HRC/21/22](#), [A/HRC/21/22/Corr.1](#) and [A/HRC/21/22/Corr.2](#).

¹⁷ Geneva, 2022.

who use drugs, leading to cases of effective criminalization of drug use for those who cannot afford to pay the fine and are incarcerated (art. 12).

59. **The Committee recommends that the State party review its legal and policy framework to ensure a human rights-based approach to drug use, including by prioritizing harm reduction strategies over punitive measures, focusing on ensuring that healthcare and services, psychological support and rehabilitation for persons who use drugs or other substances are available and accessible, enhancing the quality and accessibility of harm reduction services and eliminating obstacles that might limit access to them. The Committee also recommends that the State party implement training programmes, with international assistance if needed, in the area of drug policies, targeting social workers, medical professionals, child protection officers, law enforcement and other public officials, with a view to enhancing protection of the human rights of persons who use drugs.**

Right to education

60. While noting the measures taken by the State party to improve children's access to education, including through the Education Development Programme for the period 2021–2040, the Committee remains concerned about the insufficient educational infrastructure, especially in rural areas, the shortage of classrooms and teachers and the indirect costs of education, such as transportation and meals, which negatively affect school attendance rates and learning outcomes. The Committee expresses concern about the reportedly low educational outcomes and inequalities in learning outcomes experienced by girls, children belonging to minority groups, children with disabilities and socioeconomically disadvantaged children (arts. 13–14).

61. **The Committee recommends that the State party take the steps necessary to improve its public educational infrastructure, paying special attention to rural areas, including by ensuring access to adequate water and sanitation facilities at schools and increasing the number of classrooms and the number of qualified teachers. The Committee also recommends that the State party address socioeconomic barriers to equal access to and enjoyment of the right to education, including by intensifying its efforts to provide school transportation and hot meals and supporting disadvantaged households. It further recommends that the State party take targeted measures to address the low educational outcomes of and provide access to quality education for children from marginalized and disadvantaged backgrounds to address inequalities in learning outcomes, paying particular attention to girls, children belonging to minority groups, children with disabilities and socioeconomically disadvantaged children.**

Minority languages

62. While welcoming that the State party has identified multicultural and multilingual education as a key priority policy area and that it continues to provide education in Kyrgyz, Russian, Tajik and Uzbek, the Committee is concerned that the number of public schools that teach in a minority language other than Russian has significantly decreased in recent years, including as a result of inadequate human, technical and financial resources allocation. The Committee notes that Uzbek is significantly underrepresented in education, despite the Uzbek-speaking community being the second largest in the country (art. 15).

63. **The Committee recommends that the State party take all measures necessary to continue creating conditions that will enable all minorities to preserve, develop, express themselves in and disseminate their languages. It recommends in particular that the State party ensure the availability of education in all national minority languages, namely Russian, Tajik and Uzbek, including by allocating sufficient human, technical and financial resources thereto.**

Cultural rights of minorities

64. The Committee notes with concern the reports of increasingly tighter regulation of the religious practices of minorities in the State party, noting the legal restrictions under the draft law on freedom of religion and religious associations and reported cases of administrative

and judicial harassment against religious or belief groups, as also raised by special procedure mandate holders (arts. 2 and 15).¹⁸

65. **The Committee recommends that the State party take all measures necessary to ensure the full enjoyment by minorities of their right to enjoy fully their own cultural identity and practise their religion and culture without undue restrictions.**

D. Other recommendations

66. **The Committee encourages the State party to accede to the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.**

67. **The Committee recommends that the State party consider acceding to the core human rights instruments to which it is not yet a party, namely the International Convention for the Protection of All Persons from Enforced Disappearance.**

68. **The Committee recommends that the State party take fully into account its obligations under the Covenant and ensure the full enjoyment of the rights enshrined therein in the implementation of the 2030 Agenda for Sustainable Development at the national level, including in the recovery from the COVID-19 pandemic, with international assistance and cooperation when needed. Achievement of the Sustainable Development Goals would be significantly facilitated by the State party establishing independent mechanisms to monitor progress and treating beneficiaries of public programmes as rights holders who can claim entitlements. Moreover, the Committee recommends that the State party support the global commitment of the decade of action to achieve the Sustainable Development Goals. Implementing the Goals on the basis of the principles of participation, accountability and non-discrimination would ensure that no one is left behind. In this regard, the Committee draws the State party's attention to its statement on the pledge to leave no one behind.**¹⁹

69. **The Committee requests that the State party disseminate the present concluding observations widely at all levels of society, including at the national and provincial levels, in particular among parliamentarians, public officials and judicial authorities, and that it inform the Committee in its next periodic report about the steps taken to implement them. The Committee emphasizes the crucial role that the parliament plays in implementing the present concluding observations and encourages the State party to ensure its involvement in future reporting and follow-up procedures. The Committee encourages the State party to engage with the Ombudsperson's Office, non-governmental organizations and other members of civil society in the follow-up to the present concluding observations and in the process of consultation at the national level prior to the submission of its next periodic report.**

70. **In accordance with the procedure on follow-up to concluding observations adopted by the Committee, the State party is requested to provide, within 24 months of the adoption of the present concluding observations (31 October 2026), information on the implementation of the recommendations contained in paragraphs 13 (a) (business and economic, social and cultural rights), 39 (right to social security) and 47 (access to safe drinking water and sanitation) above.**

71. **The Committee requests the State party to submit its fifth periodic report in accordance with article 16 of the Covenant by 31 October 2029, unless otherwise notified as a result of a change in the review cycle. In accordance with General Assembly resolution 68/268, the word limit for the report is 21,200 words. In addition, it invites the State party to update its common core document, as necessary, in accordance with the harmonized guidelines on reporting under the international human rights treaties.**²⁰

¹⁸ See, for example, [A/HRC/46/57/Add.1](#).

¹⁹ [E/C.12/2019/1](#).

²⁰ [HRI/GEN/2/Rev.6](#), chap. I.