



**Convention against Torture
and Other Cruel, Inhuman
or Degrading Treatment
or Punishment**

Distr.: General
18 May 2023
English
Original: Russian
English and Russian only

Committee against Torture

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

[Date received: 17 March 2023]

* The present document is being issued without formal editing.



1. The present report was submitted in accordance with paragraph 38 of the concluding observations of the Committee against Torture and contains information about the implementation by Kyrgyzstan of the Committee's recommendations made in paragraphs 13, 19 and 25.
2. The report was prepared by an interdepartmental working group presided over by the Office of the Procurator General and established on the instructions of the Vice-Chair of the Cabinet of Ministers and Chair of the Coordinating Council on Human Rights attached to the Cabinet of Ministers, Mr. E.Z. Baisalov, consisting of representatives of government agencies and non-governmental and international organizations.
3. While preparing the report, the interdepartmental working group conducted broad discussions and consultations with the Office of the Ombudsman, the National Centre for the Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, civil society organizations working to combat torture, ill-treatment and violence against women and lawyers defending the rights and legitimate interests of victims.¹
4. The recommendations and suggestions made by national human rights institutions and civil society organizations during the discussions and consultations were taken into account during the preparation of the report.

General information

5. Kyrgyzstan is demonstrating its political will to work actively to combat all forms of torture, ill-treatment and violence against women.
6. The government strategy documents setting out a system of targets for combating violence, torture and ill-treatment and the plans for achieving them that have been developed and adopted since the issuance of the concluding observations and the practical measures taken to implement the Committee's recommendations are evidence of the efforts made.
7. The Human Rights Action Plan for the period 2022–2024, which includes a list of measures to defend human rights, including procedural safeguards, and ensure the appropriate legal protection from torture and other cruel, inhuman or degrading treatment or punishment, was approved on 28 November 2022 under Cabinet of Ministers Order No. 655-r.
8. The interdepartmental working group formed pursuant to Directive No. 29303 of 28 July 2022, issued by Vice-Chair of the Cabinet of Ministers and Chair of the Coordinating Council on Human Rights attached to the Cabinet of Ministers, Mr. E.Z. Baisalov, is working on a draft plan of action to implement the Committee's recommendations for the period 2022 to 2025.
9. The draft plan includes individual sections on the objectives arising from the Committee's recommendations that were selected for the follow-up procedure (concluding observations, paras. 13, 19 and 25) and provides for specific measures and actions.
10. On 25 October 2022, the draft plan was discussed with the members of the interdepartmental working group on implementation of the Committee's recommendations, representatives of government agencies, civil society organizations and experts, with the participation of Committee member Ms. Ana Racu.²
11. After the government agencies have given their agreement, the draft plan will be submitted to the Office of the President for approval.

¹ <https://www.prokuror.kg/ru/posts/686;>
<https://www.facebook.com/notorturekg/posts/pfbid0wtdsLch5VoRqEaDwi7EszBZyKtB8zYTMqU18fAiJF3V7PtyKLhxGChkKSUBUe8cul;>
[https://www.facebook.com/notorturekg/posts/pfbid0A7dTyzL7uWJMtgodVEUoT8Cz5tXphMCnyRq8FAyPaywwstRtLd8sXLWYktDpLRyl.](https://www.facebook.com/notorturekg/posts/pfbid0A7dTyzL7uWJMtgodVEUoT8Cz5tXphMCnyRq8FAyPaywwstRtLd8sXLWYktDpLRyl)

² <https://www.facebook.com/notorturekg/posts/pfbid02VAQ2xXL5rhqcxrpAUBDvG3VRXCZUKCQiU2zeWFZhsJTT9MQx25HaViCwfWQyFvYxl;>
[https://www.facebook.com/notorturekg/posts/pfbid0uKTNRmiwLtnFLZuJZB5vtdLd24uTN9wfkmdubto5t2HJhjhj1ycEuCNbpwEaoAl.](https://www.facebook.com/notorturekg/posts/pfbid0uKTNRmiwLtnFLZuJZB5vtdLd24uTN9wfkmdubto5t2HJhjhj1ycEuCNbpwEaoAl)

Follow-up information relating to paragraph 13 of the concluding observations

12. Pursuant to Cabinet of Ministers Decision No. 423 of 1 August 2022, the base rate used to calculate the salaries of the employees of the National Centre for the Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment and the multipliers used to determine salary levels and the amounts of the salary increments for years of service were increased.

13. In implementation of Presidential Decree No. 95 of 28 March 2022³ and pursuant to Cabinet of Ministers Decision No. 423 of 1 August 2022, the Centre was allocated an additional 6,458,700 soms in funding for the current year for the salary increase, of which:

- 5,509,700 soms were allocated under the salary budget line
- 949,000 soms were allocated under the Social Fund contributions budget line

14. The Centre's planned expenditure for 2023 is 14,152,100 soms, which represents an increase of 263,900 soms compared to the approved 2022 budget. The increase has been allocated under budget line 3112, "Machinery and equipment".

15. The Centre also requested a budget increase for its activities and for four additional staff members, which is currently being considered by the Cabinet Ministers and includes the following:

- Under the salary budget line: 3,886,100 soms
- Under the Social Fund contributions budget line: 597,300 soms
- Under the travel expenses budget line: 250,000 soms
- Under the transport services budget line: 92,500 soms

16. After considering the Centre's annual report for 2021, the Zhogorku Kenesh, the parliament of Kyrgyzstan, issued Order No. 318-VII of 16 June 2022, drawing the attention of the Cabinet of Ministers to the Centre's recommendation that a bill to amend national legislation in order to make it a criminal offence to obstruct the Centre's work should be drafted and submitted. Pursuant to Presidential Order No. 220 of 14 November 2022, an interdepartmental working group has been established to update criminal and criminal procedure legislation and will consider this matter.

17. The applicable national legislation guarantees protection for the Centre and, for its staff, the possibility to conduct unhindered visits to institutions enforcing custodial sentences and coercive criminal law measures. Pursuant to article 43 of the Code of Criminal Procedure and article 17-1 of the Act on Procedures and Conditions for the Custody of Suspects and Accused Persons, the Centre's staff are entitled to visit institutions enforcing custodial sentences and coercive criminal law measures without special authorization.

18. In the first 11 months of 2022, the national law enforcement agencies did not initiate any criminal cases relating to obstruction of the Centre's work.

Follow-up information relating to paragraph 19 of the concluding observations

Renewing strategies and developing new programmes

19. To implement the recommendations made in paragraph 19 of the Committee's concluding observations, a number of strategy documents have been adopted, setting out the State's priority aims and objectives for combating violence against women during the period until the submission of its fourth periodic report on implementation of the Convention.

20. An action plan on implementation of the National Development Programme for the period up to 2026, which includes practical measures to prevent and eradicate all forms of domestic violence, was approved under Cabinet of Ministers Decision No. 352 of 25 December 2021.

³ <http://cbd.minjust.gov.kg/act/view/ru-ru/430901>.

21. The State Policy Framework on Crime Prevention for the period 2022–2028 was approved pursuant to Cabinet of Ministers Decision No. 469 of 23 August 2022. Under the Framework, the eradication of violence against women, including domestic violence, is a priority area for State policy.

22. All central and local government bodies must follow the Framework in practice and when drafting laws, regulations and other documents related to crime prevention.

23. The interdepartmental working group established pursuant to Ministry of Internal Affairs Order No. 731-r of 10 October 2022 has drafted a national plan of action for implementation of the Policy Framework and regulations on a coordinating council for crime prevention. The drafts have now undergone the procedure for approval by government agencies.

24. The long-term National Strategy to Achieve Gender Equality by 2030 and the National Plan of Action for Gender Equality for the period 2022–2024 were approved under Cabinet of Ministers Decision No. 513 of 16 September 2022.⁴

25. The National Strategy⁵ sets out five priority areas, including protection from gender discrimination and a fair justice system. The National Plan of Action for Gender Equality for the period 2022–2024,⁶ approved at the same time as the Strategy, is the first stage in the Strategy's implementation.

26. In September 2022, the Ministry of Labour, Social Security and Migration submitted a draft Cabinet of Ministers child protection programme for the period 2022–2026,⁷ setting out the main areas and aims of public policy for children with a view to improving the system for the protection of children in difficult circumstances. The documents are currently awaiting approval.

27. By Order No. 25 of 25 January 2023, the Cabinet of Ministers approved its plan of action to prevent child and forced marriage for the period 2023–2024.

28. The Ministry of Labour, Social Security and Migration submitted to the Office of the President document No. 14-5-7/629 of 30 January 2022, containing a draft plan of action for implementation of the concluding observations of the Committee on the Elimination of Discrimination against Women.

Updating of legislation

29. The Government aims to develop legislative mechanisms to protect women and girls from all forms of gender-based violence and to determine legal guarantees to ensure that punishment for offences related to domestic violence and gender-based violence against women cannot be evaded.

30. In August 2022, the Zhogorku Kenesh adopted a law⁸ amending certain pieces of legislation, introducing amendments to the Criminal Code and the Act on the Grounds and Procedure for Granting Amnesty. The amendments established harsher punishments for offences against children's sexual inviolability and spiritual and moral health and made it impossible for the perpetrators of such offences to escape criminal liability under a statute of limitations or amnesty law.

31. A bill to amend various pieces of legislation relating to protection from domestic, sexual and gender-based violence, initiated by deputies of the Zhogorku Kenesh, is currently being revised following public consultation. The aim of the bill is to increase the penalties for domestic and sexual violence and ensure timely protection for victims. It is intended to ensure access to justice for victims of criminal offences, uphold their rights and legitimate interests and make the work of officials in charge of proceedings relating to sexual and domestic violence offences more effective.

⁴ <http://cbd.minjust.gov.kg/act/view/ru-ru/159450?cl=ru-ru>.

⁵ <http://cbd.minjust.gov.kg/act/view/ru-ru/159472>.

⁶ <http://cbd.minjust.gov.kg/act/view/ru-ru/159488?cl=ru-ru>.

⁷ <http://koomtalkuu.gov.kg/ru/view-npa/1749>.

⁸ <http://kenesh.kg/ru/draftlaw/585690/show>.

32. On 28 October 2022, the bill was reviewed at a meeting of the Council on Women's Rights, Children's Rights and Gender Equality under the Speaker of the Zhogorku Kenesh. The bill's sponsors took the comments and suggestions received into account.⁹

Greater accessibility and effectiveness of the complaints mechanism for victims of domestic violence

33. With a view to greater accessibility of the complaints mechanism for female victims of violence, the mobile police reception units, which have been specially established to receive citizens who live far away from public administrative institutions and organizations, have intensified their work. The units' teams receive complaints from citizens and give legal advice.

34. In the first nine months of 2022, the mobile police units made 4,962 visits, during which they received and provided legal advice to 15,513 citizens on various matters, including domestic violence.

35. In the first nine months of 2022, the Ministry of Labour, Social Security and Migration conducted 191,249 door-to-door visits, resulting in the identification of 20 children who were being subjected to ill-treatment.¹⁰

36. A new hotline, 114, for the provision of State legal aid was established in 2022. This socially important resource of the Legal Aid Service attached to the Ministry of Justice ensures fast and direct access to information and services relating to the provision of State legal aid and, if necessary, referral to other relevant services.

37. In December 2021, with support from partners, the Ministry of Labour, Social Security and Migration created and launched an electronic database of children in difficult circumstances in all 57 districts of the country, to speed up decision-making and assistance for these children and to improve the coordination of such assistance.

38. Professionals at the local government agencies may enter information about an identified child from any location with Internet access. The electronic system was developed to speed up decision-making and assistance for children in difficult circumstances and to improve the coordination of such assistance.

Improved safety measures for victims of domestic violence

39. In the first nine months of 2022, the internal affairs authorities issued 6,626 temporary protection orders, which provide State protection to victims of domestic violence, of which 6,275 (94.7 per cent) were against men and 351 (5.3 per cent) were against women. A total of 153 protection orders were extended.

40. To improve safety measures for victims, deputies have initiated a bill containing proposals for improved mechanisms for applying temporary protection orders and also restraining orders, which are a procedural measure applied during criminal proceedings against a suspect.

Prevention of domestic violence

41. Domestic violence prevention committees, consisting of representatives of government agencies, religious and non-governmental organizations and other members of the local community are being introduced systematically in all the country's districts.

42. Seventeen new domestic violence prevention committees have been established and 84 existing committees have been strengthened under the "Zhigerduu Zharandar" project, which is aimed at improving cooperation between the Cabinet of Ministers and civil society organizations.

⁹ <http://kenesh.kg/ru/news/show/12735/sovet-po-pravam-zhenshtin-detey-i-gendernogo-ravenstva-pri-toraga-zhk-kr-obsudil-predlagaemie-izmeneniya-v-zakonodatelystvo-kirgizskoy-respubliki-v-sfere-ohrani-i-zashchity-ot-semeynogo-seksualnogo-i-gendernogo-nasiliya>.

¹⁰ <https://mlsp.gov.kg/2022/10/28/v-bishkeke-obsudili-kachestvo-zashchity-detey/>.

43. Guidelines for the domestic violence prevention committees, entitled “Safeguarding and protection from domestic violence at the local level. Basic operating standards for local committees”, were approved by a Joint Order of the Ministry of Labour, Social Security and Migration (No. 79) and the State Agency for Public Service and Local Government Affairs (No. 152) of 9 June 2022. More than 200 members of local committees have been trained on the guidelines.

Investigation of violence against women

44. The measures taken to implement the Committee’s recommendations have helped reduce violence against women, including domestic violence, to a certain degree. At the same time, the number of perpetrators who have been prosecuted and punished has increased.

45. In the first nine months of 2022, 7,673 domestic violence-related cases were registered in the electronic logbook of the internal affairs agencies, which is 1,220 fewer than for the equivalent period in the previous year.¹¹

46. In 2,273 cases, the offenders’ acts were categorized as domestic violence under article 70 of the Code of Offences. The courts sentenced 1,148 offenders to community service and 679 to administrative detention, issued cautions to 43 and imposed fines on 4. Proceedings were terminated in 166 cases because the acts did not constitute an offence or no offence had been committed.

47. In 12 cases, the offenders’ acts were categorized under article 71 of the Code of Offences as non-compliance with the conditions of a temporary protection order. The courts sentenced six of these offenders to community service and four to administrative detention.

48. In 23 cases, the offenders’ acts were categorized under article 72 of the Code of Offences, as failure to complete a remedial programme for domestic violence perpetrators. The courts sentenced 8 of these offenders to community service and issued cautions to 11.

49. In the first nine months of 2022, 387 criminal cases were initiated for offences related to gender-based violence against women, which is 188 more than for the equivalent period in the previous year.¹²

50. The accused persons’ actions were categorized under the Criminal Code as murder in 15 cases, infliction of serious bodily harm in 11 cases, infliction of less serious bodily harm in 16 cases, cruel treatment in 76 cases, rape in 9 cases, coercion to perform sexual acts in 1 case, sexual acts with a child under the age of 16 in 6 cases, indecent assault in 6 cases, domestic violence in 35 cases and other offences in 212 cases.

51. Following investigation, 224 criminal cases were referred to court for consideration on the merits, which is 164 more than for the equivalent period in the previous year. Proceedings were terminated in 146 cases, of which 125 were terminated owing to reconciliation of the parties.

52. In the first nine months of 2022, the courts heard 78 criminal cases related to domestic violence. A guilty verdict was handed down in 33 of these cases, involving 33 perpetrators, of whom 6 were sentenced to terms of imprisonment, 7 to community service, 1 to punitive deduction of earnings, 14 to payment of fines, 1 to restriction of liberty and 4 to probation.

53. Records for the first nine months of 2022 show 19 reports of abduction for the purpose of marriage under article 172 of the Criminal Code, 1 complaint of coercion to enter into de facto marital relations under article 173 of the Criminal Code and 3 complaints of coercion to enter into marriage under article 174 of the Criminal Code.

54. Under article 172 of the Criminal Code, 23 criminal cases were investigated, of which 15 were referred to court, 4 were terminated and 2 were suspended.

55. Under article 173 of the Criminal Code, 7 criminal cases were investigated, of which 2 were referred to court, 4 were terminated and 1 was suspended.

¹¹ <https://mvd.gov.kg/domesticViolence/reports/14>.

¹² <https://mvd.gov.kg/domesticViolence/reports/14>.

56. Under article 174 of the Criminal Code, one criminal case was investigated and referred to court.

Guarantees of reparations for victims of violence

57. The Ministry of Internal Affairs has developed procedures to compensate victims for material and moral harm from a specialized fund, with resources from a separate line in the national budget for cases when it is impossible to recover the funds from the perpetrator. The list of persons entitled to compensation from the specialized fund includes victims of offences related to violence against women.

58. On 22 July 2022, the draft procedures were published for consultation on the website of the Cabinet of Ministers and the integrated portal for public consultation on draft laws and regulations.¹³ The draft has now been submitted to the Office of the President for consideration.

Access to health-care services

59. In the first eight months of 2022, 371 persons – of whom 306 were female and, of those, 20 were girls – visited health-care facilities for reasons of domestic violence.

60. In the same period, the total number of persons who received inpatient treatment for conditions resulting from domestic violence was 730, of whom 589 were female and, of those, 40 were girls.

61. Medical institutions have developed and approved action plans, produced information stands, set up anonymous mailboxes and telephone helplines and established logbooks of persons seeking help for violence and abuse. All incidents are reported to the local internal affairs agencies and family and child welfare offices.

Access to legal advice and State legal aid

62. In August 2022, the Zhogorku Kenesh adopted the new State Legal Aid Act, which expanded the categories of persons entitled to qualified legal assistance funded by the State in criminal, civil and administrative cases at all stages of judicial proceedings. Those now entitled include victims of domestic violence.¹⁴

63. On 20 June 2022, a national centre for free legal aid, aimed at vulnerable groups, including women and persons with disabilities, opened on the premises of the Ministry of Justice. There are currently 35 such centres operating in Kyrgyzstan. The Ministry is planning to establish a free legal aid service, opening 44 centres across the country.

64. A hotline, 114, for the provision of State legal aid was established in 2022. By the end of 2023, the Legal Aid Service attached to the Ministry of Justice plans to start offering legal advice using up-to-date electronic communication technologies, including a chatbot which will help people obtain free legal advice.

65. The Legal Aid Service attached to the Ministry of Justice has developed a manual and a video course for lawyers on providing legal assistance to victims of domestic violence. The in-depth training has been taken by 20 lawyers.

66. In the first nine months of 2022, 88 victims of domestic violence sought assistance at local offices of the Ministry of Labour, Social Security and Migration, following which 8 of them were issued with new documents, 17 received benefit payments, 8 received retraining and job placements, 26 were moved to a safe location and 60 received other kinds of social assistance.

Access to safe and adequately funded shelters

67. The Ministry of Labour, Social Security and Migration supports crisis centres, which provide shelter and services to female victims of violence.

¹³ <http://koomtalkuu.gov.kg/ru/view-mpa/1891>.

¹⁴ <http://cbd.minjust.gov.kg/act/view/ru-ru/112412?cl=ru-ru>.

68. Through government social-sector procurement, the State provided 7 million soms of funding to crisis centres in 2022, which is 5,452,624 soms more than in 2021.

69. In the first nine months of 2022, 146 women visited the crisis centres, of whom 141 were victims of domestic violence and 5 of rape. All these women received a full package of services, depending on their situation and requirements.

70. Pursuant to Cabinet of Ministers Order No. 433-r of 10 August 2022, an interdepartmental working group has been established to develop a one-stop mechanism for the provision of comprehensive services to women survivors of violence, to be piloted in Bishkek. "One-stop" means that victims of violence will receive health care, advice, social and psychological services and legal support relating to the investigation in a single location.

Training on violence prevention and provision of services and assistance to victims of violence

71. The development of guidance materials and capacity-building for the employees of law enforcement and other government agencies, the members of domestic violence prevention committees and representatives of local government authorities involved in the provision of basic services and assistance to women and children who have been subjected to violence continues and has been stepped up.

72. The Ministry of Internal Affairs, in cooperation with partners, has developed standard operating procedures on the provision of basic services in the area of law enforcement and justice for women and children who have been subjected to violence, intended for:

- Students and attendees at the National Ministry of Internal Affairs Training Centre¹⁵
- Criminal investigation officials from the internal affairs agencies who work on cases of violence against women and children¹⁶
- Detectives investigating gender-based offences against women and children¹⁷
- Neighbourhood police officers¹⁸
- Juvenile affairs inspectors of the internal affairs agencies¹⁹

73. The procedures have been published and disseminated among internal affairs officials and training courses on them have been delivered. In February 2022, the Ministry of Internal Affairs organized training for neighbourhood police officers and juvenile affairs inspectors in Bishkek and Chu Province;²⁰ in April 2022, it held six seminars for 140 officers of the investigative service and criminal investigation service from Bishkek, Osh, Chu Province and Osh Province.²¹

74. In February 2022, the Ministry of Labour, Social Security and Migration held a national seminar on providing assistance to victims of domestic violence for the leaders of its local offices across the country.²²

75. In April 2022, the professional training centre for prosecution and investigation staff of the Office of the Procurator General conducted training for officials of the procuratorial authorities on standard operating procedures for the provision of basic services to women and girls who have been subjected to violence.²³

¹⁵ The procedures were approved by the Academic Board of the National Ministry of Internal Affairs Training Centre in its report No. 5 of 28 October 2021; <https://crdp.asia/tpost/73hte6k961-posobie-dlya-kandidatov-i-slushatelei-re>.

¹⁶ crdp.asia/tpost/o8og09jx91-podgotovleno-posobie-standartnie-operats.

¹⁷ <https://crdp.asia/tpost/jvrac8g0k1-posobie-dlya-sotrudnikov-sledstvennoi-sl>.

¹⁸ https://www.dropbox.com/s/ekuqzebo0amrnp/Posobie_dla_uchastkovogo_upolnomoch_rus.pdf?dl=0.

¹⁹ <https://crdp.asia/tpost/xkgaxe62t1-nastolnaya-kniga-inspektora-po-delam-det>.

²⁰ <https://crdp.asia/tpost/d7bkv4lbx1-pri-podderzhke-tsentra-issledovaniya-dem>.

²¹ <https://crdp.asia/tpost/cbjr6ecv21-vnedrenie-standartov-bazovih-uslug-v-obl>.

²² <https://crdp.asia/tpost/ke6zydbb51-ministerstvo-truda-sotsialnogo-obespeche>.

²³ [rdp.asia/tpost/co6rmit011-standartnie-operatsionnie-protseduri-po](https://crdp.asia/tpost/co6rmit011-standartnie-operatsionnie-protseduri-po).

76. In November 2022, training on the gender action learning system was conducted for staff of the family and child welfare office of the Ministry of Labour, Social Security and Migration in pilot districts.

77. In February 2022, as part of gender mainstreaming efforts in the national higher education system, the teaching staff of three higher education institutions were trained on the gender action learning system. The group of educators who have undergone the training has begun working to help incorporate gender equality and gender-based violence prevention issues in the course modules of law faculties.

78. In June 2022, the National Statistics Committee held a seminar aimed at improving the quality of statistical data collection and analysis for the effective development of policy on violence against women and girls.²⁴

Raising public awareness

79. Owing to awareness-raising about the criminal nature of all forms of gender-based violence, including domestic and sexual violence, such incidents clearly resonate with and are condemned in public opinion.

80. On 25 November 2022, the campaign entitled “Joining forces! Activism to prevent violence against women and girls” kicked off under the slogan “No fear! Stop it! Live!”, which is part of the global 16 Days of Activism against Gender-based Violence campaign. Its main aim is to promote zero tolerance of domestic and gender-based violence, raise public awareness using measures to prevent and eradicate violence against women and children, educate society and draw its attention to this issue.

81. On 24 November 2022, the National Council on Gender Development approved an action plan for organization of the 16-day campaign. Instructions were transmitted to central government agencies and to the special representatives of the President in the provinces.

82. From May to June 2022, to prevent early marriage, the Ministry of Labour, Social Security and Migration, jointly with the Ministry of Education and Science and the State Commission on Religious Affairs, held eight online public dialogues in all provinces to discuss the harmful practice of removing girls from secondary school for the purpose of marriage and possible collective action to prevent it.

83. In December 2021, the National Statistics Committee issued a statistical compilation entitled “Women and men in Kyrgyzstan”, which includes data on domestic violence and other information of interest to users. For the first time, the tables and infographics were produced in colour, to facilitate user understanding of the gender statistics.²⁵

Follow-up information relating to paragraph 25 of the concluding observations

84. Under article 24 of the Constitution, no one may be subjected to discrimination on the basis of sex, race, language, disability, ethnicity, religion, age, political or other opinion, education, origin, property or other status or other circumstances. Accordingly, the State guarantees the equal protection of rights to all citizens and, at all stages of judicial proceedings, judicial protection of their rights and freedoms, including the right to receive compensation.

85. Moreover, pursuant to articles 132, 134 and 135 of the Code of Criminal Procedure, the use of unlawful investigative measures must be established by a conviction in court, following which the victim is entitled to submit a claim to the local budget projection and implementation authority for monetary compensation for moral and material harm, which will be considered in civil court proceedings.

86. All government agencies are responsible for fulfilling human rights obligations and improving human and civil rights protection mechanisms. This work is conducted in close cooperation with independent bodies, including the National Centre for the Prevention of

²⁴ <https://crdp.asia/tpost/g3upp1mp91-statisticheskie-sluzhbi-povishayut-svoi>.

²⁵ <http://www.stat.kg/ru/publications/sbornik-zhenshiny-i-muzhchiny-kyrgyzskoj-respubliki/>.

Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, the Office of the Ombudsman and various non-governmental and international organizations.

87. Meetings organized by the leadership of the Office of the Procurator General with representatives of the regional office of the Office of the United Nations High Commissioner for Human Rights, the Organization for Security and Cooperation in Europe Programme Office in Bishkek, the Ludwig Boltzmann Institut für Menschenrechte – Forschungsverein and the Legal Prosperity Foundation have led to positive outcomes and developments with respect to improving mechanisms for preventing torture and ill-treatment.

88. Special attention is paid to continuous learning for prosecution and investigation staff. Training courses and seminars are routinely held with the cooperation of voluntary associations and international human rights institutions. Experts from international and non-governmental organizations are invited as trainers.

89. Kyrgyzstan supports the promotion of the Principles on Effective Interviewing for Investigations and Information Gathering (the Méndez Principles) among the officials of the country's investigative authorities, which will help not only to ensure the greatest possible protection for the interviewed persons but also to obtain more accurate information.

90. In the first nine months of 2022, 136 reports of torture and other cruel, inhuman or degrading treatment or punishment were recorded in the consolidated register of offences.

91. Following preliminary inquiries, in 105 cases it was decided not to institute criminal proceedings because the acts did not constitute a criminal offence and in one case because no criminal offence had been committed.

92. Criminal proceedings were instituted in 18 cases. Following investigation, three criminal cases were terminated and four were suspended. Two criminal cases are currently under investigation.

93. Eight criminal cases have been referred to court. Currently, these cases are being considered on the merits in court.

94. The applicable criminal procedure legislation provides for a mechanism to protect victims, including victims of torture, by temporarily removing accused persons from their posts. Pursuant to article 120 of the Code of Criminal Procedure, if there is sufficient reason to believe that accused persons would hinder an impartial investigation and court proceedings or continue to engage in criminal activity if they continued to occupy their posts, the investigating judge, during the investigation, or the court, during judicial proceedings, may temporarily remove them from their posts at the request of a detective, procurator or victim.

95. Pursuant to article 153 of the Code of Criminal Procedure, as soon as they receive a complaint of a criminal offence, detectives and procurators must promptly begin the preliminary inquiry, during which they may inspect the crime scene and the body, interview witnesses, order expert assessments, obtain samples for comparison, call for documents and physical items and give mandatory written instructions to conduct police operations to the body responsible for initial inquiries.

96. The applicable legislation provides for the mandatory requirement to promptly document signs of torture on the victim's body. Pursuant to article 179 (11) of the Code of Criminal Procedure, a forensic medical examination must be ordered within 12 hours of a report of torture or ill-treatment. The expert examination must be recorded using photography or video.
