

2015 Country Reports on Human Rights Practices - Kyrgyz Republic

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EXECUTIVE SUMMARY

The Kyrgyz Republic has a parliamentary form of government intended to limit presidential power and enhance the role of parliament and the prime minister. On October 4, voters elected new members of parliament in peaceful elections. Observers, including the Organization for Security and Cooperation in Europe (OSCE), concluded the election was competitive, advancing the country's democratic development, although it was not without procedural shortcomings. In the 2011 presidential election, Almazbek Atambaev, then prime minister, received 63 percent of the vote. Independent observers considered that election transparent and competitive, despite irregularities. Civilian authorities failed at times to maintain effective control over the security forces, particularly in the provinces of Jalal-Abad and Osh.

The most important human rights problems included routine violations of fundamental procedural protections in all stages of the judicial process; law enforcement officers' use of arbitrary arrest and torture; and attacks, threats, and systematic, police-driven extortion of sexual and ethnic minority groups.

Additional human rights problems included poor prison conditions; harassment of both local and international nongovernmental organizations (NGOs), activists, and journalists; pressure on independent media; restrictions on religious freedom; pervasive corruption; discrimination and violence against women, persons with disabilities, ethnic and religious minorities, and persons based on their sexual orientation or gender identity; child abuse; trafficking in persons; and child labor.

Underscoring the country's human rights problems was an atmosphere of impunity for officials in the security services and elsewhere in government who committed abuses and engaged in corrupt practices. This situation reflected the central government's inability and unwillingness to hold human rights violators accountable, allowing security forces to act arbitrarily, and emboldening law enforcement officers to prey on vulnerable citizens.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary or Unlawful Deprivation of Life

There were no confirmed reports the government or its agents purposely committed arbitrary or unlawful killings.

On October 11, nine prison inmates convicted of "Islamic extremism" escaped prison and killed three state penitentiary officers while fleeing. Authorities quickly recaptured five of the inmates, three of whom died shortly after their return to prison due to "heart conditions and other medical issues." Authorities shot and killed the remaining four escapees during police operations to recapture them. Some human rights activists claimed the prisoners' deaths in custody resulted from torture. Family members asserted the prisoners had been in good health.

b. Disappearance

There were no reports of politically motivated disappearances, but local and international observers indicated there continued to be cases in the southern part of the country of holding detainees incommunicado for lengthy periods.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits torture and other cruel, inhuman, or degrading treatment or punishment. Despite widespread acknowledgement of torture by government officials and the establishment of governmental bodies to monitor and fight torture, authorities investigated or prosecuted very few cases of alleged torture.

As in 2014 defense attorneys, journalists, and human rights monitoring organizations, including Golos Svobody, Bir Duino, and the international NGO Human Rights Watch (HRW), reported incidents of serious abuse or torture by police and other law enforcement agencies. NGOs stated that the government established strong torture-monitoring bodies, but the independence of these bodies was under threat.

Golos Svobody, human rights monitoring organization, played a central role monitoring torture and was the central organizer of the Antitorture Coalition, a consortium of 18 NGOs that worked with the Prosecutor General's Office to track complaints of torture. The Prosecutor General's Office indicated it received 109 torture complaints in the first half of the year, a drop of approximately 25 percent compared with the corresponding period of 2014.

The Antitorture Coalition also accepted complaints of torture independently and passed them to the Prosecutor General's Office with the intention of opening an investigation. The coalition reported that, for the first nine months of the year, it received 79 complaints of torture. According to members of the Antitorture Coalition, the cases it submitted against alleged torturers did not lead to convictions. In the cases where police were put on trial for torture, prosecutors, judges, and defendants routinely raised procedural and substantive objections, delaying the cases, resulting in evidence getting stale, and leading to the dismissal of cases.

NGOs routinely reported concerns that the Prosecutor General's Office did not properly investigate claims of torture, because of the close connection between prosecutors and police. In regions outside of Bishkek, according to attorneys, the ties between prosecutors and police were even

closer, making it nearly impossible to open an investigation into a legitimate torture accusation. NGOs reported that courts regularly included into evidence confessions allegedly induced through torture.

Defense Lawyers stated that, once prosecutors took a case to trial, a conviction was almost certain. According to Golos Svobody, investigators often took two weeks or longer to review torture claims, at which point the physical evidence of torture was no longer visible. Defense attorneys presented most allegations of torture during trial proceedings, and the courts typically rejected them. In some cases detainees who were allegedly tortured filed claims they later recanted in the face of intimidation by law enforcement officers.

At year's end the Osh regional court had not yet scheduled a hearing on the appeal of the dismissal of torture charges against police. In January police were accused of torturing three suspects in the theft of 339 million som (\$4.5 million) at Osh airport because the suspects allegedly refused to pay a bribe to secure their own release.

In January prosecutors opened an investigation against police for the alleged torture of three men in a Bishkek detention facility in connection with a May 2014 death. According to Golos Svobody, police beat Maksat Suranaliev, Ulan Bokachiev, and Kanat Kadirov in the hope of eliciting a confession, suffocating them with plastic bags and sexually assaulting them. The prosecutor's investigation continued at year's end.

On April 16, a court sentenced Dilior Djumaliev, an ethnic Uzbek arrested in September 2014 for membership in the banned religious group Hizb ut-Tahrir, to six years of confinement. His lawyer reported that when Djumaliev appeared in court, he showed signs of having a concussion. His lawyer also reported the GKNB had to call paramedics to see him because of his injuries. Observers reported that after Djumaliev's conviction, authorities sent him to a prison hospital pending transfer to a permanent facility. A well-respected journalist attributed this hospitalization to injuries he suffered in GKNB custody. Despite these injuries, no charges were brought against the alleged torturers, and no evidence was excluded during his trial.

Prison and Detention Center Conditions

Prison conditions were harsh and sometimes life threatening due to food and medicine shortages, substandard health care, lack of heat, and mistreatment. Pretrial and temporary detention facilities were particularly overcrowded, and conditions and mistreatment generally were worse than in prisons. Some prisoners indicated the role of guards and administrators was to "keep them from leaving" and asserted that the safety of prisoners was left to the prisoners themselves, resulting in instances of violence and intimidation among inmates. Observers described how long-entrenched prison gangs administered security in the prisons. According to NGOs, authorities have not tried to dismantle these groups because they were too powerful, and it was believed that removing them could lead to chaos.

Physical Conditions: Authorities generally held juveniles separately from adults but grouped them in overcrowded temporary detention centers when other facilities were unavailable. Convicted prisoners occasionally remained in pretrial detention centers while their cases were under appeal.

Administration: Persons held in pretrial detention often did not have access to visitors. Prisoners have the right to file complaints with prison officials or with higher authorities. According to the NGO Bir Duino, prison staff inconsistently reported and documented complaints. Many observers believed that the number of official prisoner complaints of mistreatment were only a small fraction of the cases that actually occurred.

Observers reported that inmates' access to basic needs including food, potable water, safety, and use of cells involved an interaction between prison gangs and prison authorities.

Independent Monitoring: NGO leaders reported an increased openness to allowing monitors into prison and detention facilities. Most monitoring groups reported receiving unfettered access, including the International Committee of the Red Cross (ICRC). Some NGOs, including Bir Duino and Spravedlivost, had the right to visit prisons independently as part of their provision of technical assistance, such as medical and psychological care.

The Red Cross faced no restrictions on whom they could visit. Their visits were unannounced, and they could meet privately with detainees who reportedly were candid about their conditions. While the ICRC operated under a memorandum of understanding with authorities, and there is no domestic legislation explicitly permitting their activities, they reported good government support. The ICRC noted considerable success in developing one penal facility where the government would consolidate all prisoners infected with tuberculosis. Keeping all infected prisoners in this facility, the ICRC reported, reduced the rate of tuberculosis in the prison system below what it was in the civilian population.

Parliament established the National Center to Prevent Torture and other Inhuman and Offensive Treatment and Punishment in 2012 as an independent and impartial body empowered to monitor detention facilities. The center consists of 11 government employees, spread across seven offices, empowered to make unannounced, unfettered visits to detention facilities. They were permitted to make these visits with members of the human rights community, and activists routinely joined them.

The Prosecutor General's Office created an independent office in July to investigate and prosecute torture. The independent office is centrally located, so that it could use prosecutors not involved directly with the region where the torture may have taken place. Observers believed the investigators would be less subject to local pressures that might prevent proper investigation of a case. By year's end there was no information on actions the new office had taken.

d. Arbitrary Arrest or Detention

While the law prohibits arbitrary arrest and detention, both greatly increased following the interethnic violence in 2010. According to official government statistics submitted to the UN Human Rights Committee as part of the Universal Periodic Review process in 2014, approximately 69 percent of the victims of the 2010 events were ethnic Uzbeks. Despite this, 71 percent of individuals arrested in connection with the events and 73 percent of those convicted of crimes were, according to the government, ethnic Uzbek and 24 percent ethnic Kyrgyz. NGOs reported that of those who were ethnic Kyrgyz and were sentenced, many received fines, probation, and other light sentences, while the courts sentenced the vast majority of ethnic Uzbeks to long prison sentences. NGOs reported a sense of injustice remained due to the imbalance.

Some ethnic Uzbeks remained in detention for alleged crimes committed during the 2010 interethnic violence on suspicion of knowing, or being related to, another suspect. Some of these detainees claimed to have no connection to the violence themselves. Although arbitrary arrests related to the 2010 incidents have ended, human rights organizations in Osh reported arrests for alleged involvement in banned religious organizations and for alleged "religious extremism activity."

Arrests for lack of proper identification documents were common. Attorneys reported that police frequently arrested individuals on false charges and then solicited bribes in exchange for release. Human rights activists regularly discussed the system of bribes that arrestees had to pay to secure their release.

Role of the Police and Security Apparatus

The investigation of general and local crimes falls under the authority of the Ministry of Internal Affairs, while state-level crimes fall under the authority of the GKNB. The GKNB also controls the presidential security service. The Prosecutor General's Office prosecutes both local and state crimes.

Both local and international observers said law enforcement officers engaged in widespread arbitrary arrests, detainee abuse, and extortion, particularly in the southern part of the country. Authorities dismissed or prosecuted few Ministry of Internal Affairs officials for corruption, abuse of authority, extortion, or police brutality.

NGOs and other legal observers routinely noted the lack of ethnic minorities in the police force, and in all government positions. Officially, ethnic minorities (nonethnic Kyrgyz) made up approximately six percent of the police force. According to UN statistics, ethnic minorities made up approximately 27 percent of the population.

Arrest Procedures and Treatment of Detainees

According to the criminal procedure code, only courts have the authority to issue search and seizure warrants. While prosecutors have the burden of proof in persuading a judge that a defendant should be detained pending trial, activists reported detention without a warrant remained common. Activists reported that police targeted vulnerable defendants from whom they believed they could secure a bribe, particularly ethnic Uzbek defendants accused of crimes related to the possession of banned religious materials. Authorities could hold a detainee legally for 48 to 72 hours before filing charges; authorities generally respected these limits. The law requires investigators to notify a detainee's family of the detention within 12 hours, but officials inconsistently enforced this provision. Following official charges, the courts have discretion to hold a suspect in pretrial detention for as much as one year, after which they are legally required to release the suspect. There is a functioning bail system.

Persons arrested or charged with a crime have the right to defense counsel at public expense. By law the accused has the right to consult with defense counsel immediately upon arrest or detention, but in many cases the first meeting did not occur until the trial. Human rights groups noted authorities usually denied attorneys to arrested minors, often holding them without parental notification and questioning them without parents or attorneys present, despite laws forbidding

these practices. There were reported incidents of authorities intimidating minors into signing confessions.

The law authorizes the use of house arrest for certain categories of suspects. There were also reports law enforcement officers selectively enforced the law by incarcerating persons suspected of minor crimes while not pursuing those suspected of more serious ones.

Arbitrary Arrest: As in previous years, NGOs and monitoring organizations, including Golos Svobody, Bir Duino, HRW, Spravedlivost, the UN Office of the High Commissioner for Human Rights, and the OSCE recorded complaints of arbitrary arrest. Most observers asserted it was impossible to know the number of cases because the majority went unreported. According to NGOs in the southern part of the country, arrests and harassment of individuals allegedly involved in extremist religious groups – predominantly ethnic Uzbeks – continued. Attorneys reported that detained persons often sought to avoid the court system by quickly paying off the arresting officers. Attorneys believed this practice was most prominent in the southern provinces. Observers believed that authorities targeted individuals because they were religious and vulnerable.

There were reports of arrests of individuals involved in the banned extremist group Hizb ut-Tahrir, a trend that began to increase in 2014. According to Bir Duino, the arrests, in some cases were driven by corruption within the law enforcement system. Police appeared at homes falsely claiming to have a search warrant. There were allegations police would enter the home, plant printed material promoting Hizb ut-Tahrir, and arrest the suspect.

For example on February 9, Ministry of Internal Affairs officers detained Rashod Kamalov, the ethnic Uzbek Imam of the Al-Sarahsi mosque in the town of Kara Suu. According to Kamalov's attorneys, police found literature connected to the banned religious organization Hizb ut-Tahrir. Police alleged that 10 residents of Kara Suu filed complaints stating Kamalov convinced their children to join the battle for the Islamic State in Syria. Police also stated that they had video evidence of Kamalov delivering a sermon advocating the establishment of an Islamic Caliphate. Kamalov's attorneys argued none of the material found in his possession contained extremist messages. Kamalov was convicted and sentenced to five to six years' imprisonment. His attorneys were appealing the case at year's end.

Pretrial Detention: According to the penal code, authorities may hold a suspect at a pretrial detention facility during the official investigation. The general legal restriction on the length of investigations is 60 days. Lengthy legal procedures, poor access to lawyers, and limited investigation capacity often lengthened defendants' time in pretrial detention beyond that, with some being detained legally for as long as one year.

e. Denial of Fair Public Trial

The law provides for an independent judiciary, but judges were subject to influence or corruption, and there were instances where the outcomes of trials appeared predetermined. Multiple sources, including NGOs, attorneys, government officials, and private citizens, asserted judges paid bribes to attain their positions. Many attorneys asserted that bribe taking was ubiquitous among judges and described trying to use legal arguments to secure justice like "Don Quixote tilting at windmills."

Authorities generally respected court orders.

Numerous NGOs described pervasive violations of the right to a fair trial, including coerced confessions, use of torture, denial of access to counsel, and convictions in the absence of sufficiently conclusive evidence or despite exculpatory evidence. International observers reported threats and acts of violence against defendants and defense attorneys within and outside the courtroom as well as intimidation of trial judges by victims' relatives and friends. Although the number of cases has decreased since 2010, NGOs reported these practices persisted. Numerous NGOs noted defendants from ethnic minorities convicted of crimes in 2010 in politicized trials received the overwhelming majority of life sentences. A representative of the NGO Spravedlivost indicated 97 percent of those who received prison sentences in Jalalabad Region following the 2010 violence were ethnic Uzbeks. Some ethnic Kyrgyz received fines, probation, and other light sentences. The representative noted that in Jalalabad, 25 individuals were convicted of murder or other homicide-related crimes and received life sentences. All of those sentenced were ethnic Uzbek. According to the Prosecutor General's Office, five cases of defendants charged with involvement in the 2010 events continued at year's end.

Trial Procedures

While the law provides for defendants' rights, including the presumption of innocence, the government regularly violated these rights. The customs and practices of the judicial system contradicted the principle of presumption of innocence, and pretrial investigations focused almost exclusively on the collection of sufficient evidence to prove guilt. If a court ruled it could not determine guilt or innocence and there was insufficient evidence to submit a case for trial, the case was returned to the investigative bodies for further investigation, during which time suspects could remain in detention. There is no protection against double jeopardy. Attorneys routinely complained that judges returned cases to the investigator if there was not enough evidence to prove guilt. Attorneys generally believed that, once a case made it past investigation and to trial, a defendant was almost certain to be convicted. Observers from local and international NGOs described how the expectation that police should successfully close a high percentage of cases drove the high conviction ratio. Judges, according to attorneys, gave defendants a suspended sentence regardless of how little evidence existed to sustain a prison term. The law requires courts to inform defendants promptly and in detail of the charges against them. Defendants should be provided with an interpreter if they need one. By law trials should be conducted in the state language, Kyrgyz, or the official language, Russian. In a majority of trials, procedure required defendants to sit in caged cells in the courtroom.

Trials were generally open to the public, unless they involved state secrets or privacy concerns of defendants, and courts announced verdicts publicly, even in closed proceedings. Court officers did not allow some observers in the courtroom at politically charged trials. State prosecutors submit criminal cases to courts, while judges direct criminal proceedings. Criminal cases featured a single judge while three-judge panels conducted appellate cases. Judges have full authority to render verdicts and determine sentences. A law adopted in 2010 calls for jury trials in criminal cases in certain jurisdictions to begin in 2012, but the government delayed implementation.

The law provides for unlimited visits between an attorney and a client during trial. Official permission for such visits is required and was not always granted. The government provided indigent defendants with attorneys at public expense, and defendants could refuse legal counsel and defend themselves. HRW, domestic NGOs, and local attorneys reported some state-provided criminal defense lawyers were complicit with prosecutors and did not properly defend their clients.

Many observers, particularly in the southern part of the country, described these lawyers as "pocket attorneys" who would help secure bribes from their client to pass to police and judges, which would then secure the client's eventual release. International observers reported the quality of representation was much worse in rural areas than in the capital. In many cases it was difficult for individuals accused of extremism-related crimes to find an attorney who was not closely connected to police. In some cases NGO observers accused defense attorneys of being incompetent.

The law permits defendants and their counsel to access prosecution evidence, although this was not always granted in advance of a trial, and to attend all proceedings, question witnesses, present evidence, and call witnesses. Courts frequently did not follow these requirements. Witnesses typically were required to testify in person. Under certain circumstances, courts allowed testimony via audio or video recording. Defendants and counsel, by law, have the right to communicate freely, in private, with no limitation on the frequency. Defendants and prosecutors have the right to appeal a court's decision. An appellate court can increase a lower court's sentence against a defendant.

As in previous years, trials of ethnic Uzbeks arrested for instigating or carrying out violence against ethnic Kyrgyz during the 2010 unrest violated legal requirements and international standards of fairness. During these proceedings, NGOs monitoring the cases and the parents of the accused described pervasive violations of the right to a fair trial, including coerced confessions, use of torture, denial of access to counsel, threats and acts of violence against defendants and defense attorneys within and outside of the courtroom, intimidation of trial judges by victims' relatives and friends, and convictions in the absence of condemning evidence or despite exculpatory evidence.

Azimjon Askarov (see section 1.e., Political Prisoners and Detainees), an ethnic Uzbek human rights activist convicted of murder along with seven codefendants in the 2010 killing of a Bazar Korgon police officer, remained imprisoned at year's end. In 2012 one of his attorneys filed a formal complaint or "communication" with the UN Human Rights Committee chronicling allegations that the government withheld evidence, intimidated witnesses, and committed acts of torture. Because the country is a signatory to the International Covenant for Civil and Political Rights, individuals may raise instances in which the government has allegedly violated specific provisions of the covenant. The committee had not issued a decision on the case at year's end.

Political Prisoners and Detainees

Courts have convicted opposition party members and ethnic Uzbeks of politically motivated actions related to violence. In view of numerous questions surrounding their connection to the violence and the fairness of the trials and appeals, some observers considered them political prisoners.

Azimjon Askarov, an ethnic Uzbek human rights activist convicted with seven codefendants of killing a police officer during the interethnic violence in 2010, remained in prison at year's end. Although in 2014 Askarov's attorneys filed complaints with Bishkek courts, alleging the government ignored exculpatory evidence and failed properly to investigate credible claims of torture, his attorneys did not pursue any domestic remedies during the year, and awaited a decision on his communication to the UN Human Rights Committee at year's end.

In 2013 the prison service stated it would only allow six visits per year to Askarov. NGO leaders from Bir Duino reported making regular visits to Askarov, however, under an exception that permits local NGOs involved in providing medical, psychological, and other support to visit. Those

who visited Askarov reported that his physical condition continued to be poor. Because Askarov rejected a physical examination by a government doctor, authorities refused to let other physicians examine him.

Civil Judicial Procedures and Remedies

The constitution and law provide for an independent and impartial judiciary in civil matters. As with criminal matters, citizens believed the civil judicial system was subject to influence from the outside, including by the government. Local courts address civil, criminal, economic, administrative, and other cases. The Supreme Court is the highest judicial authority.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law requires approval from the prosecutor general for wiretaps, home searches, mail interception, and similar acts, including in cases relating to national security. The law states officials should use wiretapping of electronic communications exclusively to combat crime and only with a court order. Eleven government agencies have legal authority to monitor citizens' telephone and internet communications. Cell phone operators MegaCom and Beeline confirmed that the security services wiretapped citizens.

On May 29, following a visit by a foreign official to Hadicha Askarova, wife of Azimjon Askarov, officers of the GKNB visited her house and questioned her for 30 minutes.

The Law on Defense and Armed Forces authorizes the military to confiscate private property for the purpose of state security.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The law provides for freedom of speech and press. Self-censorship, however, was prevalent, and journalists reported pressure from both editors and political figures to report on sensitive topics in a progovernment fashion.

As in earlier years, some journalists reported intimidation related to coverage of sensitive topics, such as interethnic relations, religious extremism, or the rise of nationalism in the country. The trend was particularly salient against Uzbek-language media outlets. Others felt threatened for reporting critically on public figures. Some journalists admitted to self-censoring their reporting due to fear of reprisals.

Freedom of Speech and Expression: The government took aggressive steps to stop discussion of sensitive issues related to ethnic reconciliation in the southern part of the country in the wake of the 2010 events.

Press and Media Freedoms: During the year, there were attempts to prevent independent media from operating freely in the country. For example the owner and editorial board of the country's

largest Russian language newspaper, *Vcherniy Bishkek*, alleged a coordinated effort by the president's office to seize the newspaper's shares and put ownership in the hands of individuals more closely aligned with the government. According to media reports, beginning in September 2014, corporate interests with close government connections told *Vcherniy Bishkek's* owner Alexander Kim to turn over a portion of the company's shares. When Kim refused, tax and financial authorities began an investigation against him, and in January a court ordered half of the newspaper transferred to a businessman closely aligned to the government. Media observers saw this as an attempt to reduce the newspaper's independence. In April *Vcherniy Bishkek* published a statement accusing individuals connected to the president of being behind this seizure.

Observers alleged that there was a tightening of media space as a result of the government's move to digital television. Authorities reportedly ordered Osh-based broadcaster *Yntymak*, to reduce coverage in ethnic-Kyrgyz villages after new digital technology expanded their signal's physical reach. Observers asserted the overall move to digital television would consolidate power in the hands of a small number of well-funded station owners, as small regional or opposition stations would not have the funds needed to purchase the new equipment required to broadcast digitally.

While the law prohibits foreign ownership of domestic media, there was a small degree of foreign ownership of media through local partners. Russian-language television stations dominated coverage and local ratings. A number of Russia-based media outlets operated freely in the country, and the government treated them as domestic media.

Violence and Harassment: There were physical attacks on journalists by individuals believed to be linked to authorities. For example on January 23, unidentified men attacked independent journalist Bulat Satarkulov after he filmed border guards preventing the departure of opposition politician Adil Turdukulov to travel abroad for meetings with foreign officials.

Censorship or Content Restrictions: The law places significant restrictions on television and radio broadcast companies and establishes Kyrgyz-language and local content requirements. Human rights activists asserted the law is unconstitutional because it conflicts with constitutional rights to freedom of speech and access to information.

As in previous years, journalists and NGO leaders alleged some news outlets instructed their reporters not to report critically on certain politicians or government officials. The sources also reported some news outlets received requests from offices of the government to report in a particular way or to ignore news stories.

NGO leaders and media contacts reported that state-owned broadcasters came under increasing pressure to run stories promoting government policies and initiatives and develop narratives that are critical of NGOs, opposition figures, and civil society activists. In a number of instances, multiple state-owned outlets ran nearly identical attack pieces on NGO leaders at the same time. Observers alleged these stories were delivered in nearly complete form to stations with orders to broadcast them. Journalists who did not comply were subject to threats against themselves and their families.

Libel/Slander Laws: While libel is not a criminal offense, NGO leaders described the False Accusations Amendments, passed in 2014, as a practical "recriminalizing of libel." Journalists noted the law exposed journalists and the media to libel suits in civil courts that could bankrupt the outlets or journalists. In January, however, the Supreme Court narrowed the reach of the law,

holding that henceforth, it would only apply in cases of knowingly making false statements in a police report but not to statements in the media.

Freedom House noted "insult" and "insult of public officials" were criminal offenses and that the law is detrimental to the development of freedom of speech and mass media in the country. The head of the Media Policy Institute reported her organization routinely defended journalists charged with libel and slander, and members of the media regularly feared the threat of lawsuits.

Dozens of journalists faced civil suits for libel. For example on June 29, the Alamudin district court of Bishkek ruled that freelance journalist Dayirbek Orunbekov "defamed the dignity and honor of the president" and ordered that he pay the president two million som (\$26,534). The General Prosecutor's Office first filed criminal charges against Orunbekov under the "false statements law." In April, due to the Constitutional Chamber's ruling, the prosecutor turned the case into a civil suit and sought to collect one million som (\$13,267). In late April the Prosecutor General's Office doubled the suit to two million som (\$26,534), because Orunbekov allegedly "continued to spread unverified information" in an interview with major news outlet *Vcherniy Bishkek*. In the interview Orunbekov said Atambaev "raised the flag of free speech" after the 2010 revolution, but "unfortunately, took the path of banditry."

Internet Freedom

There were some government restrictions on access to the internet, but no credible reports the government monitored private online communications without appropriate legal authority. Members of the lesbian, gay, bisexual, transgender, and intersex (LGBTI) community reported police regularly monitored LGBTI chat rooms and dating sites and arranged meetings with LGBTI users of the sites to extort money from them when they met.

According to the International Telecommunication Union, the internet penetration rate was 28 percent.

According to the Civic Initiative on Internet Policy, 19 websites remained blocked at year's end. These sites all involved groups that the government deemed to be terrorist or extremist. Four of the sites involved the banned group Hizb ut-Tahrir.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom. *Religious higher educational institutions must follow strict reporting policies, but they reported no restrictions on academic freedom.*

b. Freedom of Peaceful Assembly and Association

The law provides for freedom of assembly and association, and the government generally respected these rights.

Freedom of Assembly

The constitution provides for this right, and the government generally respected it. Organizers and participants are responsible for notifying authorities of planned assemblies, but the constitution prohibits authorities from banning or restricting peaceful assemblies, even in the absence of prior notification. Local authorities, however, have the right to demand an end to a public action and, in the event of noncompliance, are empowered to take measures to end assemblies.

According to the NGO Kylym Shamys, on numerous occasions police prevented public gatherings, allegedly for not obtaining proper registration. In some instances police tried to stop approved protests. For example, on March 4, a judge ordered the dispersal of a rally against violence toward women and children.

Freedom of Association

The law provides for freedom of association, and the government generally respected it. NGOs, labor unions, political parties, and cultural associations must register with the Ministry of Justice. NGOs are required to have at least three members, and all other organizations at least 10 members. The Ministry of Justice did not refuse to register any domestic NGOs during the year. The law prohibits foreign-funded political parties and NGOs, including their representative offices and branches, from pursuing political goals.

The government's *State Concept on Religion* lists 14 banned organizations: al-Qaida, the Movement of Taliban, the Islamic Movement of Eastern Turkestan, the Kurdish People's Congress (Congra-Gel), the Organization for the Liberation of Eastern Turkestan, Hizb ut-Tahrir al-Islami (Hizb ut-Tahrir), Group Jihad (Union of Islam Jihad), the Islamic Party of Turkestan (Islamic Movement of Uzbekistan), Jaishul Mahdi, Djundul Halifat, Ansarullah, At-Takfir Val-Hijra, and the Church for Uniting of Muna.

Similar to 2014, numerous human rights activists reported an increase in arrests and prosecution of persons accused of possessing and distributing Hizb ut-Tahrir literature (see section 1.d.). Most arrests of alleged Hizb ut-Tahrir members occurred in the southern part of the country and involved ethnic Uzbeks. The government charged the majority of those arrested with possession of illegal religious material. In some cases NGOs alleged police planted Hizb ut-Tahrir literature as evidence against those arrested.

c. Freedom of Religion

See the Department of State's [*Report on International Religious Freedom*](#).

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights. The law on internal migration provides for freedom of movement. The government generally respected this right, and citizens generally were able to move within the country with relative ease. Certain policies restricted internal migration, resettlement, and travel abroad. The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other organizations to provide some protection and assistance to refugees, asylum seekers, stateless persons, and other persons of concern.

Foreign Travel: The law on migration prohibits travel abroad by citizens who have or had access to information classified as state secrets until the information is declassified.

Internally Displaced Persons

According to UNHCR, the 2010 violence in Osh and Jalalabad oblasts displaced approximately 300,000 persons internally as well as 75,000 persons who temporarily fled to Uzbekistan and later returned. UNHCR reported there were no internally displaced persons in the country at year's end.

Protection of Refugees

UNHCR reported there were 403 refugees in the country at year's end. In previous years, UNHCR's estimate of the number of refugees included 4,504 persons of Kyrgyz ethnicity who fled Uzbekistan and were living in refugee-like conditions in the country, where they sought asylum. UNHCR changed its definition of refugee in 2013 to remove the "refugee" designation from those persons, although their situation was clearly similar to that of refugees. Of the 403 refugees, 187 were UNHCR convention refugees and 216 were UNHCR mandate refugees. The status of mandate refugees is conferred by UNHCR, but the government does not confer rights to mandate refugees. Including both mandate and charter refugees, there were 299 from Afghanistan, 65 from Syria, 24 from Uzbekistan, nine from Ukraine, three from Iran, two from Turkmenistan, and one from Morocco.

There were 208 asylum seekers registered with UNHCR in the country. The Ministry of Labor, Migration, and Youth registered 166 asylum seekers, including 84 from Afghanistan, 44 from Uzbekistan, 17 from Ukraine, 12 from Syria, four from Turkmenistan, and smaller numbers from Iran, Pakistan, and Egypt. The other 42 persons were seeking registration from the government at year's end.

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. The law on refugees includes nondiscrimination provisions covering persons who were not refugees when they left their country of origin and extends the validity of documents until a final decision on status is determined by a court.

There were continued reports of Uzbek refugees seeking refugee status due to fear of abuse by the Uzbek government. Several of them received status with the state migration authorities, allowing them to remain in the country legally.

Employment: Refugees who lacked official status in the country did not have legal permission to work. They were therefore subject to exploitation by employers paying substandard wages, not providing benefits, and not complying with labor regulations. They could not file grievances with authorities.

Access to Basic Services: Refugees and asylum seekers who lacked official status were ineligible to receive state-sponsored social benefits. They faced exploitative working conditions and had no legal standing to challenge these conditions in court.

Stateless Persons

UNHCR officials stated the country's stateless persons fell into several categories. They included an estimated 5,700 Uzbek women who married Kyrgyz citizens, but never received Kyrgyz citizenship (many such women allowed their Uzbek passports to expire, and regulations obstructed their efforts to gain Kyrgyz citizenship). Other categories included Roma, individuals with expired Soviet documents, children born to one or both parents who were stateless, and children of migrant workers who renounced their Kyrgyz citizenship in the hope of becoming Russian citizens. The government denied access to social benefits and official work documents to stateless persons, who lacked sufficient legal standing to challenge exploitative labor conditions in court. UNHCR estimated 10,286 stateless persons were living in the country without documents, compared with 15,338 in 2014. The State Registration Service maintained its database of stateless persons only based on those who contacted it.

Of stateless persons registered by UNHCR, 69 are de jure stateless, 2,500 are de facto stateless, and 2,851 are at risk of statelessness. The latter category is defined by UNHCR as persons who do not have a clearly defined citizenship, comprising mostly Soviet passport holders without birth certificates.

Section 3. Freedom to Participate in the Political Process

The constitution provides citizens the ability to choose their government in free and fair periodic elections based on universal and equal suffrage, and citizens exercised that ability.

Elections and Political Participation

Recent Elections: Local and international observers judged the country's most recent parliamentary election in October to have been competitive, and transparent. During the year, the government received international support to make all polling stations electronic. Parliament passed a law allowing only those who submitted their biometric data, or fingerprints, to be on the voter list and vote in the elections. Human rights activists Nurbek Toktakunov and Toktaim Umetalieva challenged this law in the constitutional chamber, arguing that the restriction violated protections on enfranchisement. Many other human rights and NGO leaders disagreed with the required biometric registration.

On June 18, the constitutional chamber removed Justice Klara Sooronkulova after she objected to the biometric registration law publicly, which violated the law of publicly expressing her judicial opinion. Sooronkulova and others saw her removal as undue presidential influence on the constitutional chamber in order to prevent unflattering press or a rejection of the biometric registration law. On September 15, the constitutional chamber ruled the biometric registration law to be constitutional.

The government allowed multiple monitoring missions to observe the elections, including approximately 215 short-term OSCE observers, and approximately 22 long-term observers and 150 observers from the Commonwealth of Independent States.

According to the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR), the October 4 parliamentary elections were competitive, and provided voters with a wide range of

choice. The OSCE/ODIHR concluded that the manner in which the elections were administered, however, reflected the need for improved procedures and increased transparency.

Political Parties and Political Participation: The 120-seat parliament is selected through a national "party list" system. The system makes it difficult for minority candidates to be elected.

Participation of Women and Minorities: There were no legal restrictions on the participation of women in politics. The election code requires the names of male and female candidates be intermixed on party lists and that no more than 70 percent of candidates on a party list can be of the same gender.

By law women must be represented in all branches of government and constitute no less than 30 percent of state bodies and local authorities. The law does not specify the level of the positions at which they must be represented.

National minorities, who made up 35 percent of the population but held only 20 percent of parliamentary seats, remained underrepresented in both elected and appointed government positions, particularly Russians and Uzbeks, the two largest ethnic minority groups. Of the 120 members of parliament, 14 belonged to a national minority. The law requires that at least 15 percent of candidates on party lists be members of ethnic minorities. Activists and human rights defenders reported ethnic Uzbeks were underrepresented in all areas of the government.

Section 4. Corruption and Lack of Transparency in Government

Corruption remained endemic at all levels of society. While the law provides criminal penalties for conviction of corruption by officials, the government did not implement the law effectively, and officials frequently engaged in corrupt practices with impunity. There were numerous reports of government corruption during the year. The payment of bribes to avoid investigation or prosecution was a major problem at all levels of law enforcement. Likewise, law enforcement officers, particularly in the southern part of the country, frequently employed arbitrary arrest, torture, and the threat of criminal prosecution as a means of extorting cash payments from citizens (see section 1.d.).

Corruption: The only government body empowered to investigate corruption was the anticorruption branch of the GKNB. It was not an independent government entity, and its budget remained within the operating budget of the GKNB. The agency's cooperation with civil society was limited, and its investigations led to very few cases going to trial.

On July 22, the GKNB detained the president's chief of staff, Daniyar Narymbaev, on suspicion of corruption, abuse of power, and extortion. Narymbaev was detained following the arrest of Member of Parliament Hadjimurat Korkmazov, who was caught receiving a bribe of approximately 7.5 million som (\$100,000) from the daughter of a former mayor of Bishkek, Nariman Tyuleev. Allegedly, Narymbaev, in collusion with Korkmazov, extorted this money from the former mayor's family in exchange for a favorable decision in a court case involving the former mayor.

Financial Disclosure: The law requires all public officials to publish their income and assets. The State Personnel Service is responsible for making this information public. Officials who do not disclose required information may be dismissed from office, although this punishment was not regularly enforced.

Public Access to Information: The law regulates public access to government information.

The law provides for access to government held information. All government bodies and local administrative organs are required to establish systems for the release of their operating information to the public. NGOs noted that a wide range of information was available; however, the government in many cases was slow in making it public.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Law enforcement officers harassed and threatened human rights activists who reported on continuing abuses as well as those committed during and after the 2010 interethnic violence. During the year, the government denied work authorization to the staff of at least two international NGOs whose work highlighted democratic and human rights shortcomings. The government made registration challenging and sometimes impossible for international NGOs.

On June 5, the Ministry of Labor, Migration, and Youth informed Human Rights Watch (HRW) that it would not reissue the work accreditation of one of its staff members because the "GKNB did not think [she] was the right person for the position." The decision came two weeks after four men who said they were from the Ministry of Labor, Migration, and Youth and the Ministry of Internal Affairs visited HRW's office as part of a work permit check and fined two of its staff for working without proper accreditation.

On December 2, immigration officials at Manas International Airport refused an HRW Central Asia Researcher entry into the country, based on her alleged past violation of Kyrgyz immigration law. A Ministry of Foreign Affairs spokesperson confirmed the ban on the HRW researcher, who worked primarily outside of Kazakhstan and the Kyrgyz Republic.

The country program director for the Solidarity Center was unable to return since he was denied entry to the country in May 2014, and Solidarity announced it would cease most of its operations, continuing the office with just one local staff person.

The United Nations or Other International Bodies: The government permitted visits by representatives of the United Nations and other organizations in connection with the investigation of abuses or monitoring of human rights problems in the country, including those of the OSCE, the ICRC, the Norwegian Helsinki Committee, and the International Organization for Migration (IOM). The entry ban issued on Kyrgyzstan Inquiry Commission Chairman Kimmo Kiljunen remained in effect throughout the year. The ban was linked to Kiljunen's 2011 report describing the 2010 violence and criticizing the government's efforts at reconciliation and peace building. The government restricted visits to Azimjon Askarov but otherwise provided international bodies

largely unfettered access to civil society activists, detention facilities and detainees, and government officials.

On June 11, the Ministry of Foreign Affairs (MFA) removed the names of at least five noted human rights defenders from the access list to one of UN Secretary General Ban Ki Moon's June 11 meetings, on the day before he arrived for a visit. Jenesh Toroiev of the Human Rights Advocacy Center, Valerian Vakhitov of Bir Duino and Gulgaky Mamasalieva of Interbelim were among those struck from the list for "security" and "space" concerns.

The government extended the mandate of the OSCE's Community Security Initiative through the end of the year. Established in 2010 in the aftermath of the June events that year, the initiative had 17 international police advisors embedded in police stations in villages across the South. The advisors worked with local police to generate a closer connection between law enforcement officers and the communities they serve, thus facilitating a more open exchange of information and reducing the chances of a repeat of 2010's interethnic conflict.

Government Human Rights Bodies: The Office of the Ombudsman acted as an independent advocate for human rights on behalf of private citizens and NGOs and had the authority to recommend cases for court review. During the year, however, the office did not report any complaints to parliament. The atmosphere of impunity surrounding the security forces and their observed ability to act independently against citizens limited the number and type of complaints submitted to the Ombudsman's Office. During the year, the Ombudsman's Office did not make available statistics regarding the number of complaints it received. The government established the Office of the Ombudsman and National Center to Prevent Torture. The human rights community cooperated with the National Center and effectively conducted routine and unannounced visits to prisons.

Although the Ombudsman's Office exists in part to receive complaints of human rights abuses and pass the complaints to relevant agencies for investigation, both domestic and international observers questioned the office's efficiency. Parliament took steps to restrict the ombudsman's independence, voting in June to remove ombudsman Baktybek Amanbaev – an action Amanbaev called politically motivated. From June to December, Vice Ombudsman Gulnara Jamgyrchieva ran the office. On December 30, parliament elected Kubat Otorbaev, a former general director of the state-owned television and broadcasting corporation, as ombudsman.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The constitution prohibits discrimination based on race, gender, disability, language, ethnic origin, creed, age, political or other beliefs, education, background, property, or other status. The government did not effectively enforce these prohibitions. Although women were active in government, education, civil society, the media, and small business, they encountered gender-based discrimination. Rights activists claimed authorities failed to investigate or punish perpetrators of crimes of discrimination during the year. Members of the LGBTI community reported systematic-police led harassment and beatings. NGOs reported ethnic Uzbeks were attacked by ethnic Kyrgyz because of their ethnicity.

Women

Rape and Domestic Violence: Rape, including spousal rape, is illegal, but as in previous years, the government failed to enforce the law effectively and rape cases were underreported. Penalties for conviction of sexual assault range from three to eight years' imprisonment. Prosecutors rarely brought rape cases to court. Statistics on the number of cases or convictions during the year were not available. Police generally regarded spousal rape as an administrative offense.

While the law specifically prohibits domestic violence and spousal abuse, violence against women and girls remained a significant problem, yet was underreported. Penalties for domestic violence convictions ranged from fines to 15 years' imprisonment, the latter if abuse resulted in death. HRW catalogued a range of violent forms of domestic violence and found that the government did not sufficiently investigate and prosecute cases, provide services and support for survivors, pursue protection, and penalize perpetrators. In the small number of reported cases reviewed by courts, many charges were considered administrative offenses rather than crimes, thus carrying a lesser punishment. The Ministry of Internal Affairs reported registering 1,819 cases of domestic violence during the first six months of the year. According to the ministry, it issued 1,578 temporary protection orders, opened 118 criminal cases, and brought administrative charges against 1,004 individuals based on these complaints.

Many crimes against women went unreported due to psychological pressure, economic dependence, cultural traditions, fear of stigma, and apathy among law enforcement officers. There were also reports of spouses retaliating against women who reported abuse.

Several local NGOs provided services to victims of domestic violence, including legal, medical, and psychological assistance, a crisis hotline, shelters, and prevention programs. Organizations assisting battered women also lobbied to streamline the legal process for obtaining protection orders. The government provided offices to the Sezim Shelter for victims of domestic abuse and paid its expenses. According to the shelter, its hotline received 546 telephone calls during the first six months of the year. Women made 96 percent of the calls, 32 percent of which involved domestic violence. The shelter provided consultations, advocacy, and shelter services to 1,100 individuals.

Other Harmful Traditional Practices: Although prohibited by law, the practice of kidnapping women and girls for forced marriage continued. According to NGOs Kyz Korgon and the Women's Support Center, an average of at least 32 women and girls were kidnapped daily. Previous independent studies estimated that as many as 50 percent of all marriages in the country involved bride kidnapping.

The Sezim Center reported approximately 50 percent of its clients were in unregistered marriages, which do not have legal force. Observers reported there was a greater frequency of early marriage, polygamy, and bride kidnapping in connection with unregistered religious marriages. This also affected data availability on such marriages.

Some victims of bride kidnapping went to the local police to obtain protective orders, but authorities often poorly enforced such orders. Although in 2012 the government strengthened the penalty for conviction of bride kidnapping to a maximum of 10 years in prison, NGOs continued to report no increase in the reporting or prosecution of the crime.

Sexual Harassment: According to the local NGO Shans, sexual harassment was widespread, especially in private-sector workplaces and among university students, but it was rarely reported or prosecuted. The law prohibits physical sexual assault but not verbal sexual harassment.

Reproductive Rights: By law couples and individuals have the right to decide the number, spacing, and timing of their children; manage their reproductive health; and have access to the information and means to do so, free from discrimination, coercion, and violence. National health regulations require that family planning counseling and services be readily available through a range of health-care professionals, including not only obstetricians and gynecologists but also family doctors, paramedics, and nurse midwives. At the level of primary health care, regulations require that women who request contraceptives receive them regardless of ability to pay.

National health-care protocols require that women be offered postpartum care and counseling on methods and services related to family planning. The government offered special programs to meet the needs of vulnerable target groups, such as adolescents, internally displaced persons, urban migrants, persons in prostitution, and the very poor. In many remote villages, however, reproductive health-care services were nonexistent. Where remote services were available, the rugged terrain, inadequate roads, or lack of transport made them nearly inaccessible.

Discrimination: The law provides for the same legal status and rights for women and men. Women have the same rights as men, including under family law, property law, and in the judicial system, but because of poor enforcement of the law, discrimination against women persisted. The National Council on the Issues of Family, Women, and Gender Development, which reports to the president, is responsible for women's issues.

Data from NGOs working on women's issues indicated women were less healthy, more abused, less able to work outside the home, and less able than men to determine independently the disposition of their earnings. According to the UN Development Fund for Women and domestic NGOs, women did not face discrimination in access to credit or owning businesses.

The annual government-sponsored media campaign to combat violence against women took place in December. According to NGOs, the campaign helped to coordinate the efforts of groups combating violence against women and give them a greater voice.

Children

Birth Registration: Although the law provides that every child born in the country has the right to receive a birth certificate, local registration, and citizenship, some children were stateless (see section 2.d.). UNHCR reported that children of migrant parents who moved to and acquired citizenship of another country – in many cases, Russia – had to prove both of their parents were Kyrgyz citizens to acquire Kyrgyz citizenship. These children encountered difficulties obtaining citizenship if their parents lacked the necessary documentation.

Education: The law provides for compulsory and free education for the first nine years of schooling or until age 14. Secondary education is free and universal until age 17. Financial constraints prevented the government from providing free basic education to all students, and the system of residence registration restricted access to social services, including education for children who were refugees, migrants, or noncitizens. Families who kept children in public schools often paid

burdensome and illegal administrative fees. While the constitution provides the right to education in minority languages, the government continued to convert Uzbek-language schools into Kyrgyz-language schools.

Child Abuse: Child abuse, including beatings, child labor, and commercial sexual exploitation of boys and girls were problems. In addition gang-related child-on-child violence in schools increased.

Early and Forced Marriage: Children ages 16 and 17 may legally marry with the consent of local authorities, but the law prohibits marriage before the age 16 under all circumstances. Although illegal, the practice of bride kidnapping continued (see section 6, Women). The kidnapping of underage brides remained underreported. In 2014, the UN Population Fund reported 14 percent of women in the country, mainly in rural areas, married while under age 16. An HRW report found government inaction in monitoring or addressing bride kidnapping or other forms of early and forced marriage.

Sexual Exploitation of Children: The criminal code prohibits the sale of children, child trafficking, child prostitution and child pornography, as well as other sexual crimes against children. The law criminalizes the sale of persons and forced prostitution and provides penalties for conviction of up to 15 years in prison if the victim is a child. The law also makes it a crime to involve someone in prostitution by violence or the threat of violence, blackmail, destroying or damaging property, or fraud. Prosecutors have to prove the element of force, coercion, or fraud in cases of children recruited into prostitution.

The criminal code prohibits the distribution of child pornography and the possession of child pornography with the intent to distribute. The law does not specifically define child pornography, and the criminal code does not fully criminalize computer-related use, access to child pornography online, or simple possession of child pornography.

The UN special rapporteur on the sale of children, child prostitution and child pornography, and the UN Children's Fund estimated up to 20 percent of children under age 18 in Bishkek were regularly involved in prostitution. In her 2013 report on the country, the special rapporteur noted "serious concerns" of child prostitution in saunas and other brothel-like environments. She also reported that authorities "turned a blind eye" to the presence of prostitution in these environments.

The law does not contain an explicit age of consent. Under the criminal code, it is illegal for persons ages 18 and older to have sexual relations with someone under age 16.

Displaced Children: As in previous years, there were numerous reports of child abandonment due to parents' lack of resources, and large numbers of children lived in institutions, foster care, or on the streets. Approximately 80 percent of street children were internal migrants. Street children had difficulty accessing educational and medical services. Police detained street children and sent them home if an address was known or to a rehabilitation center or orphanage. The Rehabilitation Center for Street Children in Bishkek, maintained by the Ministry of Internal Affairs, lacked sufficient food, clothes, and medicine and remained in poor condition.

Institutionalized Children: State orphanages and foster homes lacked resources and often were unable to provide proper care, sometimes resulting in, for example, the transfer of older children to mental health-care facilities even when they did not exhibit mental health problems.

International Child Abductions: The country is a not party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction.

Anti-Semitism

According to NGO Open Position, the Jewish population in the country was approximately 500-700.

The law does not specifically prohibit espousing or printing anti-Semitic views. In 2011, the prosecutor general announced prosecutors would prosecute media outlets that published articles inciting national, racial, religious, or interregional strife under the criminal code. There were no reports of anti-Semitic comments in the mainstream media during the year.

Trafficking in Persons

See the Department of State's [*Trafficking in Persons Report*](#).

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities, but such persons faced discrimination in employment, education, air travel and other transportation, access to health care, and the provision of other state services. The law mandates access to buildings for persons with disabilities, requires access to public transportation and parking, and authorizes subsidies to make mass media available to persons with hearing or vision disabilities, and free plots of land for the construction of a home. The government generally did not ensure proper implementation of the law. In addition, persons with disabilities often had difficulty finding employment because of negative societal attitudes and high unemployment among the general population.

A lack of resources made it difficult for persons with disabilities to receive adequate education. Although children with disabilities have the right to an education, the Association of Parents of Children with Disabilities stated schools often denied them entry. Parents sometimes established special educational centers for their children, but they did not receive government assistance. The government funded programs to provide school supplies and textbooks to children with mental or physical disabilities.

Serious problems continued within psychiatric hospitals. The government did not adequately provide for basic needs, such as food, water, clothing, heating, and health care, and facilities were often overcrowded. Inadequate funding played a critical factor.

Authorities usually placed children with mental disabilities in psychiatric hospitals rather than integrating them with other children. Other residents were also committed involuntarily, including children without mental disabilities who were too old to remain in orphanages. The Youth Human Rights Group monitored the protection of children's rights in institutions for children with mental and physical disabilities. The group noted gross violations by staff at several institutions, including depriving young residents of sufficient nourishment and physically abusing them.

The Office of the Prosecutor General is responsible for protecting the rights of psychiatric patients and persons with disabilities. According to local NGO lawyers, members of the Prosecutor General's Office had no training and little knowledge of the protection of these rights and were ineffective in assisting citizens with disabilities. Most judges lacked the experience and training to make determinations as to whether it was appropriate to mandate committing persons to psychiatric hospitals, and authorities institutionalized individuals against their will.

The country does not have centralized statistics on persons with disabilities, but authorities estimated their number at between 20,000 and 30,000 in a population of six million persons. Several activists noted authorities have not implemented a 2008 law requiring employers to provide special hiring quotas (approximately five percent of work positions) for persons with disabilities.

National/Racial/Ethnic Minorities

Ethnic tensions between ethnic Uzbeks, who comprised nearly half the population in Osh Oblast, and ethnic Kyrgyz in the oblast – as well as elsewhere in the southern part of the country – remained tense and problematic. These tensions were characterized by discrimination against ethnic Uzbeks in business and government, as well as harassment and arbitrary arrests of ethnic Uzbeks by members of the security services. Ethnic Uzbek citizens in Osh and Jalalabad reported discrimination in finding jobs, particularly with the government. There were multiple reports of seizure of ethnic-Uzbek businesses and property. Ethnic Uzbeks reported large public works and road construction projects interfered with neighborhoods and destroyed homes. Uzbeks reported that reconstruction efforts in Uzbek neighborhoods following the 2010 violence lagged behind those in Kyrgyz neighborhoods.

A 2014 law has the goal of eliminating ethnic divisions. The plan seeks to create a new national identity through a shared language and elimination of official ethnic identification on government documents. At year's end the government had not taken concrete steps towards implementing the plan. Some members of civil society were highly critical of the plan, asserting that it was a language plan and not an ethnic plan.

In May during its annual administration of the university entrance exam, the Ministry of Education initially failed to offer the test in the Uzbek language, because of a 2013 decree that made it available only in the Russian and Kyrgyz languages. The test had been available to students in Russian, Kyrgyz, and Uzbek since 2002. After the May test, which many Uzbek-speaking students took in Kyrgyz, the Ministry of Education announced there would be a makeup test in June with versions available in Uzbek, as well as Russian and Kyrgyz. The ministry stated, however, that only students who did not take the test could qualify for the Uzbek-language makeup examination. Fifty students took the test in Uzbek, down from an average of 2,000 in previous years.

Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

LGBTI persons whose sexual orientation or gender identity was publicly known risked physical and verbal abuse, possible loss of jobs, and unwanted attention from police and other authorities. Inmates and officials often openly victimized incarcerated gay men. Doctors sometimes refused to treat LGBTI individuals. Members of the LGBTI community said their families ostracized them when they learned of their sexual orientation or gender identity. Forced marriages of lesbians and

bisexual women to men also occurred. The Labrys Public Foundation noted the practice of "corrective rape" of lesbians to "cure" their homosexuality. The practice was underreported, and its extent was difficult to estimate.

Labrys, Kyrgyz Indigo, and Grace – three established LGBTI support NGOs – reported numerous acts of violence against members of the LGBTI community. For example, on April 3, unknown assailants threw three Molotov cocktails into the offices of the LGBTI rights organization Labrys. Two of the explosives ignited in the courtyard, while another that landed on the roof did not ignite. No one was injured in the attack.

On May 17, 25 anti-gay protesters forcibly entered an event in honor of the International Day Against Homophobia and Transphobia, and assaulted and photographed attendees. Police arrested 20 of the attendees and five of the protesters. Police held the LGBTI attendees in the same cell as the protesters, who made offensive, anti-gay comments towards the LGBTI men and women in detention. All were released the same day. In the week following the attack, the newspaper *Delo Nomer* published an article with photographs of the event attendees.

Members of the LGBTI community reported an increase in attempts to forcibly "out" gays and lesbians on social media. In one widespread incident, police forced a transgender woman to undress on camera. The video was posted on the social media site Odnaklassniki.ru with the title "woman with a surprise."

In 2014, HRW released *They Told Us We Deserved This: Police Violence against Gay and Bisexual Men in Kyrgyzstan*, a 65-page report based on interviews with 40 LGBTI persons chronicling instances of extortion, beatings, and sexual assault on them. The report described in detail how police patrolling parks and bars frequented by gay men would threaten them with violence and arrest or threaten to reveal their homosexuality to their families if they did not pay bribes. These practices, according to representatives of the LGBTI community, continued. NGO leaders in the southern part of the country reported an even greater threat.

High-level members of the government made public statements that dehumanized and degraded the LGBTI community.

HIV and AIDS Social Stigma

Although the law protects against discrimination and stigmatization of persons living with HIV/AIDS, Minister of Health Dinara Saginbaeva said, "despite numerous information campaigns, Kyrgyzstanis are still not ready to accept HIV calmly."

In the most recent demographic and health survey for the country (2012), 63 percent of women and 75 percent of men reported discriminatory attitudes towards those living with HIV.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides workers the right to form and join trade unions. The law allows unions to conduct their activities without interference and provides them the right to organize and bargain collectively. Workers may strike, but the requirement to receive formal approval made striking difficult and complicated. The law on government service prohibits government employees from striking, but the prohibition does not apply to teachers or medical professionals. The law does not prohibit retaliation against striking workers.

Many unions reportedly operated as quasi-official institutions that took state interests into consideration rather than representing workers' interests exclusively. The Federation of Trade Unions (FTU) remained the only umbrella trade union in the country. Unions were not required to belong to the FTU, and there were several smaller unaffiliated unions.

Workers exercised their right to join and form unions, and unions exercised the right to organize and bargain collectively. Union leaders, however, generally cooperated with the government, and international observers judged that unions represented the interests of their members poorly. Some unions alleged unfair dismissals of union leaders and the formation of single-company unions.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor. The law specifically prohibits the use of force, fraud, or coercion for the purpose of sex or labor exploitation and prescribes penalties for conviction of five to 20 years' imprisonment for violations. Forced labor also is prohibited by the labor code and the code on children. The government did not fully implement legal prohibitions, and victim identification remained a concern.

The Ministry of Labor provided a toll-free telephone line to the IOM to provide information to potential migrants and to help victims of labor trafficking. According to the IOM, 8,823 persons used the hotline during the year.

The Ministry of Social Development noted that, in the first half of the year, 77 children were victims of the worst forms of child labor. There were cases of forced labor, including of children (see section 7.c.).

Also see the Department of State's [*Trafficking in Persons Report*](#).

c. Prohibition of Child Labor and Minimum Age for Employment

The law sets the minimum legal age for basic employment at 16, except for work considered to be "light," such as selling newspapers in which children as young as age 14 may work with the permission of a parent or guardian. The law prohibits employment of persons under age 18 at night, underground, or in difficult or dangerous conditions, including in the metal, oil, and gas industries; mining and prospecting; the food industry; entertainment; and machine building. Children ages 14 or 15 may work up to five hours a day; children ages 16 to 18 may work up to seven hours a day. These laws also apply to children with disabilities.

The government operated under the *2012-14 Social Protection Development Strategy and Action Plan*, which provides for protection of children and families in difficult conditions, including child laborers.

Child labor remained a widespread problem, as did internal trafficking of children for the purposes of commercial sexual exploitation and forced labor. According to 2011 data, children engaged in dangerous agricultural work in the tobacco, rice, and cotton sectors.

The Prosecutor General's Office and the State Labor Inspectorate are responsible for enforcing employers' compliance with the labor code. Inspectors conducted infrequent and ineffective child labor inspections. Since many children worked for their families or were self-employed, it was difficult for the government to determine whether work complied with the labor code.

Also see the Department of Labor's [*Findings on the Worst Forms of Child Labor*](#).

d. Discrimination with Respect to Employment or Occupation

The law prohibits discrimination with respect to employment and occupation on the basis of sex, race, ethnicity, language, origin, property, official status, age, place of residence, religion, and political convictions, membership in public organizations, or other circumstances irrelevant to professional capacities.

The government did not effectively enforce applicable law, and the nature of penalties for conviction of violations was insufficient to deter violations. Human rights NGOs in the southern part of the country reported that all the leading government positions, especially in the court system, law enforcement agencies, and the Prosecutor General's Office, were occupied by ethnic Kyrgyz – a rising trend since the 2010 violence. Uzbeks in the South also complained it was hard to start a small business in the South if one was an ethnic Uzbek.

Human rights organizations complained that authorities harassed and closed small Uzbek-owned businesses. On June 9, the State Ecological and Technical Security Inspection closed 53 small businesses in Osh along Navoi Street belonging to ethnic Uzbeks. According to the NGO Human Rights in Central Asia, closure of Uzbek enterprises was related to public works construction as part of the Osh city master plan. The NGO also reported that the owners of the affected enterprises were made to close their businesses through intimidation and threats by the mayor's office.

Average wages for women were substantially less than for men. Women made up the majority of pensioners, a group particularly vulnerable to deteriorating economic conditions. In rural areas, traditional attitudes toward women limited them to the roles of wife and mother and curtailed educational opportunities.

Members of the LGBTI community reported discrimination in the work place when they were open about their sexual orientation.

e. Acceptable Conditions of Work

The official national minimum monthly wage was 600 som (\$7.96). Employers generally paid somewhat higher wages. The law on minimum wage states it should rise gradually to meet the cost of living. The National Statistics Committee reported the average monthly salary was 11,845 som (\$157.14).

The standard workweek is 40 hours, usually within a five-day week. For state-owned industries, there is a mandated 24-hour rest period in a seven-day workweek. According to the labor code, overtime work cannot exceed four hours per day or 20 hours per week, and workers must receive compensatory leave or premium pay of between 150 and 200 percent of the hourly wage. These provisions were mainly enforced at large companies and organizations with strong trade unions. Small and informal firms had no union representation.

The National Statistics Committee defined informal economic activity as household units that produce goods and services primarily to provide jobs and income to their members. The government estimated only 24 percent of the population worked in the formal sector of the economy while the rest worked in the informal economy.

Safety and health conditions in factories were poor. The law establishes occupational health and safety standards, but the government generally did not enforce them. The law does not provide workers the right to remove themselves from a hazardous workplace without jeopardizing their employment. The State Labor Inspectorate is responsible for protecting workers and carrying out inspections for all types of labor problems, but its activities were limited, and business compliance was uneven. The law does not provide for occupational health and safety standards for workers in the informal economy.

The National Statistics Committee recorded 220 workplace injuries in 2013. Total benefit payments to compensate for work-related injuries totaled more than 35 million som (\$464,345).

Unregistered foreign workers could not exercise the same rights as registered workers because they could not file complaints with authorities and did not pay into and receive benefits from the social fund.

Government licensing rules place strict requirements on companies recruiting citizens to work abroad, and the Ministry of Labor, Migration, and Youth must license such companies before they may recruit. The government regularly published a list of licensed and vetted firms. Recruiters were required to monitor employer compliance with employment terms and the working conditions of labor migrants while a work contract was in effect. Recruiters were also required to provide workers with their employment contract prior to their departure.

The government took steps to streamline labor migration by adopting a program on the regulation of migration processes and collaborating with the governments of Russia, the Republic of Korea, and Kazakhstan to improve the protection of the rights of Kyrgyz labor migrants working abroad.