

# Kyrgyzstan

## Mid-term Implementation Assessment



*Promoting and strengthening  
the Universal Periodic Review*  
<http://www.upr-info.org>



## Introduction

### 1. Purpose of the follow-up programme

*The second and subsequent cycles of the review should focus on, inter alia, the implementation of the accepted recommendations and the development of the human rights situation in the State under review.*

A/HRC/RES/16/21, 12 April 2011 (Annex I C § 6)

The Universal Periodic Review (UPR) process takes place every four and half years; however, some recommendations can be implemented immediately. In order to reduce this interval, we have created an update process to evaluate the human rights situation two years after the examination at the UPR.

Broadly speaking, *UPR Info* seeks to ensure the respect of commitments made in the UPR, but also, more specifically, to give stakeholders the opportunity to share their opinion on the commitments. To this end, about two years after the review, *UPR Info* invites States, NGOs, and National Institutions for Human Rights (NHRI) to share their comments on the implementation (or lack thereof) of recommendations adopted at the Human Rights Council (HRC) plenary session.

For this purpose, *UPR Info* publishes a Mid-term Implementation Assessment (MIA) including responses from each stakeholder. The MIA is meant to show how all stakeholders are disposed to follow through on, and implement their commitments. States should implement the recommendations that they have accepted, and civil society should monitor that implementation.

While the follow-up's importance has been highlighted by the HRC, no precise directives regarding the follow-up procedure have been set until now. Therefore, *UPR Info* is willing to share good practices as soon as possible, and to strengthen the collaboration pattern between States and stakeholders. Unless the UPR's follow-up is seriously considered, the UPR mechanism as a whole could be adversely affected.

The methodology used by UPR Info to collect data and to calculate index is described at the end of this document.

Geneva, 4 March 2013



## Follow-up Outcomes

### 1. Sources and results

All data are available at the following address:

<http://followup.upr-info.org/index/country/kyrgyzstan>

We invite the reader to consult that webpage since all recommendations, all stakeholders' reports, as well as the unedited comments can be found at the same internet address.

15 stakeholders' reports were submitted for the UPR. 17 NGOs were contacted. 2 UN agencies were contacted. The Permanent Mission to the UN was contacted. The domestic NHRI was contacted as well.

7 NGOs responded to our enquiry. 1 UN agency responded. The State under Review did not respond to our enquiry. The domestic NHRI did not respond to our enquiry either.

The following stakeholders took part in the report:

1. **UN Agency:** United Nations Children's Fund (UNICEF)
2. **NGOs:** (1) Forum 18 News Service (F-18) (2) Global Initiative to End All Corporal Punishment of Children (GIEACPC) (3) Labrys - Kyrgyzstan (LK) (4) Tandem Project (TP) (5) Thai Aids Treatment Action Group (TTAG) (6) World Coalition Against the Death Penalty (WCADP) (7) Youth Human Rights Group (YHRG)

*IRI:* 48 recommendations are not implemented, 12 recommendations are partially implemented, and 20 recommendations are fully implemented. No answer was received for 94 out of 175 recommendations and voluntary pledges (full list of unanswered recommendations is available at the end of this document).



## 2. Index

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Hereby the issues which the MIA deals with:

rec. n°	Issue	page	IRI
2	Justice,Rights of the Child	page 17	not impl.
3	Minorities	page 13	not impl.
5	Rights of the Child,Women's rights	page 22	fully impl.
6	Disabilities	page 13	fully impl.
8	Disabilities,International instruments	page 15	fully impl.
11	Women's rights	page 22	not impl.
12	Rights of the Child	page 22	fully impl.
13	Human rights education and training,Women's rights	page 23	fully impl.
14	Disabilities,Enforced disappearances,International instruments	page 15	partially impl.
15	Death penalty,International instruments	page 15	fully impl.
16	Freedom of association and peaceful assembly,Freedom of opinion and expression,Freedom of the press,Human rights defenders,Torture and other CID treatment	page 17	not impl.
17	Disabilities,Poverty,Rights of the Child,Women's rights	page 11	fully impl.
21	Special procedures	page 15	not impl.
23	Women's rights	page 23	fully impl.
25	Freedom of association and peaceful assembly,Freedom of opinion and expression	page 7	not impl.
27	Civil society,UPR process	page 34	not impl.
29	Women's rights	page 24	not impl.
32	Rights of the Child,Women's rights	page 24	not impl.
34	Special procedures	page 16	not impl.
35	Death penalty,Disabilities,Enforced disappearances,International instruments	page 15	partially impl.
37	Rights of the Child	page 24	fully impl.
39	Special procedures,Torture and other CID treatment	page 16	fully impl.
41	Freedom of opinion and expression,Freedom of the press	page 7	not impl.
42	Minorities	page 13	not impl.
44	Human rights education and training,Rights of the Child,Trafficking,Women's rights	page 25	not impl.
46	Special procedures	page 16	not impl.
47	Freedom of association and peaceful assembly,Freedom of opinion and expression,International instruments	page 7	not impl.
48	Minorities,Sexual Orientation and Gender Identity,Women's rights	page 17	not impl.
50	Detention conditions,Torture and other CID treatment	page 20	not impl.
52	Torture and other CID treatment	page 20	-
54	Labour,Rights of the Child	page 25	partially impl.
56	Disabilities,International instruments	page 15	partially impl.
59	Justice,Rights of the Child	page 25	partially impl.
60	Rights of the Child,Women's rights	page 26	fully impl.
61	Detention conditions,Human rights violations by state agents,Torture	page 20	not impl.



rec. n°	Issue	page	IRI
	and other CID treatment		
62	Special procedures	page 16	not impl.
64	Detention conditions, Freedom of association and peaceful assembly, Freedom of the press, Human rights defenders, Torture and other CID treatment	page 8	not impl.
67	Freedom of association and peaceful assembly	page 9	not impl.
70	Right to education	page 12	fully impl.
72	Disabilities, International instruments	page 15	fully impl.
73	Poverty	page 12	partially impl.
76	Women's rights	page 26	fully impl.
79	Rights of the Child, Torture and other CID treatment	page 27	not impl.
82	Rights of the Child, Women's rights	page 27	partially impl.
84	Rights of the Child, Women's rights	page 28	fully impl.
86	Rights of the Child, Women's rights	page 28	not impl.
89	Development, Poverty, Right to education, Right to health	page 13	fully impl.
92	ESC rights - general, Rights of the Child	page 28	not impl.
93	Other	page 34	not impl.
96	Special procedures	page 16	not impl.
100	Rights of the Child	page 29	fully impl.
101	CP rights - general	page 10	not impl.
102	Women's rights	page 29	not impl.
103	Civil society, Freedom of association and peaceful assembly	page 9	not impl.
104	Labour, Rights of the Child	page 29	partially impl.
107	Justice	page 20	not impl.
109	Rights of the Child, Women's rights	page 29	not impl.
112	Elections, Freedom of association and peaceful assembly, Freedom of opinion and expression	page 9	not impl.
114	Freedom of religion and belief	page 10	not impl.
119	Women's rights	page 26	fully impl.
123	Freedom of the press, Human rights defenders	page 9	not impl.
124	Elections, Minorities	page 14	not impl.
126	Minorities	page 14	not impl.
128	Rights of the Child, Women's rights	page 29	partially impl.
134	Special procedures, Treaty bodies	page 16	not impl.
137	National plan of action, Rights of the Child	page 30	partially impl.
138	Special procedures, Treaty bodies	page 17	not impl.
143	Women's rights	page 26	fully impl.
144	Labour, Rights of the Child	page 30	not impl.
145	Civil society, CP rights - general, International instruments	page 9	not impl.
146	Special procedures	page 16	not impl.
150	Rights of the Child, Torture and other CID treatment	page 30	not impl.
151	Freedom of opinion and expression	page 9	not impl.
155	Justice	page 21	not impl.
157	Minorities	page 13	not impl.



<b>rec. n°</b>	<b>Issue</b>	<b>page</b>	<b>IRI</b>
159	Rights of the Child, Women's rights	page 31	fully impl.
162	International instruments	page 21	not impl.
167	Justice, Rights of the Child	page 31	partially impl.
169	Rights of the Child, Sexual Orientation and Gender Identity, Women's rights	page 32	not impl.
171	Special procedures	page 16	not impl.
175	Rights of the Child, Treaty bodies	page 34	partially impl.

### 3. Feedbacks on recommendations

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## CP Rights

Recommendation n°25: *Take measures to ensure the unhindered exercise of freedom of expression and freedom of assembly* (Recommended by Austria)

IRI: *not implemented*

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Recommendation n°41: *Take measures to ensure the right to freedom of expression, including guaranteeing unhindered access for independent media to airtime and the Internet, and to introduce criminal measures for the threatening of journalists and media outlets* (Recommended by Canada)

IRI: *not implemented*

#### Forum 18 News Service (F-18) response:

The ability of people to manifest their freedoms of expression, association, and religion or belief are all restricted by state-backed legislation and by actions of state officials. Examples include making the unregistered exercise of freedom of religion or belief by people in association illegal, reinforcement in draft government Religion Law amendments of a requirement for 200 people to sign as founders for any community to exist, state moves to ban the Ahmadi Muslim community, denials of the right to exist of Jehovah's Witnesses, and December 2012 censorship amendments to the Religion Law increasing state control over religious literature and allowing some religious organisations to contribute to the censorship of the views of people of other beliefs. Peaceful assembly is also obstructed by the state failing to protect meetings of minority communities from violent attack. Also, a Dutch film "I am gay and Muslim" expressing this view was banned by the state in September 2012, though an appeal against the ban is continuing. There is also obstruction or denials of burial according to their own rites to deceased Protestants, Baha'is, Jehovah's Witnesses and Hare Krishna devotees – especially those of ethnic Kyrgyz or ethnic Uzbek background – in village graveyards which it is insisted are only for Muslims. Police often back those obstructing these burials, in some cases actively participating in burial denials.

Recommendation n°47: *Review the compliance of its national legislation with provisions of the International Covenant on Civil and Political Rights on freedom of expression, association and assembly* (Recommended by Czech Republic)

IRI: *not implemented*

#### F-18 response:

As well as freedom of religion or belief, the freedoms of expression, association and assembly are restricted by the government not having brought the Religion Law into line with its international human rights obligations, despite the repeated observations on and criticisms of the Religion Law by religious communities, human rights defenders and international actors such as the Special Rapporteur on Freedom of religion or belief (see A/HRC/7/10/Add.1). Peaceful assembly is also obstructed by the state failing to protect meetings of minority communities from violent attack, some officials even colluding in some attacks. Instead, December 2012 censorship

amendments to the Religion Law increased state control over religious literature and allow some religious organisations to contribute to the censorship of the views of people of other beliefs. Also, the state is currently taking even harsher amendments through parliament, the Zhogorku Kenesh. If passed, these would – among other violations of the state's obligations – ban sending students to foreign religious colleges without government permission, require each religious community to have 200 local citizen adult founders in one locality for it to apply to exist, and ban all exercise of freedom of religion or belief by foreign citizens without a state license. As well as this, the State Commission for Religious Affairs (SCRA), with the help of the National Security Committee (NSC) secret police, has formulated proposed new punishments for exercising the right to religious freedom. These are included in Justice Ministry amendments to the Code of Administrative Offences, which considerably increase both the range of activities which are punishable and potential penalties. Criticisms by local religious communities – and from the Inter-religious Council - and civil society organisations – such as Open Viewpoint and Egalitee - have been ignored, state officials even claiming they have not made criticisms. Minorities, both within the majority Muslim religious community and non-Muslim minorities – routinely experience state violations of their freedom of religion or belief. Examples include making the unregistered exercise of freedom of religion or belief by people in association illegal, state moves to ban the Ahmadi Muslim community, and denials of the right to exist of Jehovah's Witnesses, and Also, a Dutch film "I am gay and Muslim" expressing this view was banned by the state in September 2012, though an appeal against the ban is continuing. There is also obstruction or denials of burial according to their own rites to deceased Protestants, Baha'is, Jehovah's Witnesses and Hare Krishna devotees – especially those of ethnic Kyrgyz or ethnic Uzbek background – in village graveyards which it is insisted are only for Muslims. Police often back those obstructing these burials, in some cases actively participating in burial denials.

Thai Aids Treatment Action Group (TTAG) response:

According to local CBOs, there have been problems in lack of coordination between different government institutions as to which government bodies are responsible for implementation [...].

Recommendation n<sup>o</sup>64: *Undertake clear commitments to put an end to all forms of intimidation, harassment, aggression, arbitrary arrest and detention, and torture against all persons, in particular human rights defenders, peaceful demonstrators and journalists* (Recommended by France)

IRI: *not implemented*

F-18 response:

Peaceful assembly is obstructed by the state failing to protect meetings of minority communities from violent attack, some officials even colluding in some attacks. Minorities, both within the majority Muslim religious community and non-Muslim minorities – routinely experience state violations of their freedom of religion or belief. [...]



Recommendation n°67: *Bring the Law on Peaceful Assembly into compliance with international human rights standards* (Recommended by Hungary)

IRI: *not implemented*

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Recommendation n°103: *Ensure the effective implementation of freedom of assembly, and, in particular, guarantee that participants in peaceful assemblies, as well as civil society activists and political parties, are free from pressure and are not prosecuted for exercising this right* (Recommended by Lithuania)

IRI: *not implemented*

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Recommendation n°112: *Guarantee in law and in practice the right to the freedoms of expression, association and peaceful assembly, as well as the right of all citizens to participate, without discrimination, in the country's public and political life, including the right to vote and be elected. In this regard, it is urgent that the bill on freedom of assembly be concluded and approved* (Recommended by Mexico)

IRI: *not implemented*

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Recommendation n°123: *That the forces of a free society human rights defenders, journalists and lawyers working in defence of a free media, civil liberties and human rights in Kyrgyzstan be allowed to operate in the country* (Recommended by Norway)

IRI: *not implemented*

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Recommendation n°145: *Ensure that the basic civil and political rights of civil society organizations are protected in line with the obligations set out in the International Covenant on Civil and Political Rights* (Recommended by Spain)

IRI: *not implemented*

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Recommendation n°151: *Take all measures necessary to ensure full respect for the freedom of expression in accordance with Kyrgyzstan's international obligations* (Recommended by Sweden)

IRI: *not implemented*

#### F-18 response:

The freedoms of expression, association, and religion or belief are all restricted by state-backed legislation and by actions of state officials. Peaceful assembly is also obstructed by the state failing to protect meetings of minority communities from violent attack, some officials even colluding in some attacks. Examples include making the unregistered exercise of freedom of religion or belief by people in association illegal, reinforcement in draft government Religion Law amendments of a requirement for 200 people to sign as founders for any community to exist, state moves to ban the Ahmadi Muslim community, denials of the right to exist of Jehovah's Witnesses, and December 2012 censorship amendments to the Religion Law increasing state control over religious literature and allowing some religious organisations to contribute to the censorship of the views of people of other beliefs. Also, a Dutch film "I am gay and Muslim" expressing this view was banned by the state in September 2012, though an appeal against the ban is continuing. There is also obstruction or denials of burial according to their own rites to deceased Protestants, Baha'is, Jehovah's Witnesses and Hare Krishna devotees – especially those of ethnic Kyrgyz or ethnic Uzbek background – in village graveyards which it is



insisted are only for Muslims. Police often back those obstructing these burials, in some cases actively participating in burial denials.

**Recommendation n°101: *Speed up the drafting of the strategy to protect human rights and civil rights* (Recommended by *Libya*)**

**IRI: *not implemented***

F-18 response:

The government's strategy gives the appearance of being aimed at undermining human rights. The freedoms of expression, association, and religion or belief are all restricted by state-backed legislation and by actions of state officials. Peaceful assembly is also obstructed by the state failing to protect meetings of minority communities from violent attack, some officials even colluding in some attacks. Examples include making the unregistered exercise of freedom of religion or belief by people in association illegal, reinforcement in draft government Religion Law amendments of a requirement for 200 people to sign as founders for any community to exist, state moves to ban the Ahmadi Muslim community, denials of the right to exist of Jehovah's Witnesses, and December 2012 censorship amendments to the Religion Law increasing state control over religious literature and allowing some religious organisations to contribute to the censorship of the views of people of other beliefs. Also, a Dutch film "I am gay and Muslim" expressing this view was banned by the state in September 2012, though an appeal against the ban is continuing. There is also obstruction or denials of burial according to their own rites to deceased Protestants, Baha'is, Jehovah's Witnesses and Hare Krishna devotees – especially those of ethnic Kyrgyz or ethnic Uzbek background – in village graveyards which it is insisted are only for Muslims. Police often back those obstructing these burials, in some cases actively participating in burial denials.

**Recommendation n°114: *Review the Law on Religion so as to ensure that the right to freedom of religion is upheld in compliance with international legal standards* (Recommended by *Netherlands*)**

**IRI: *not implemented***

Tandem Project (TP) response:

The constitution provides for religious freedom; however, other laws and policies restrict religious freedom, and in practice, the government enforced these restrictions. The government did not demonstrate a trend toward either improvement or deterioration in respect for and protection of the right to religious freedom. The government continued to restrict the registration of some religious organizations and the activities of Muslim groups it considered threats to security. – US. State Dept. 2011 IRFR

F-18 response:

The government has not brought the Religion Law into line with its international human rights obligations, despite the repeated observations on and criticisms of the Religion Law by religious communities, human rights defenders and international actors such as the Special Rapporteur on Freedom of religion or belief (see A/HRC/7/10/Add.1). Instead, December 2012 censorship amendments to the Religion Law increased state control over religious literature and allow some religious organisations to contribute to the censorship of the views of people of other beliefs.



Also, the state is currently taking even harsher amendments through parliament, the Zhogorku Kenesh. If passed, these would – among other violations of the state's obligations – ban sending students to foreign religious colleges without government permission, require each religious community to have 200 local citizen adult founders in one locality for it to apply to exist, and ban all exercise of freedom of religion or belief by foreign citizens without a state license. As well as this, the State Commission for Religious Affairs (SCRA), with the help of the National Security Committee (NSC) secret police, has formulated proposed new punishments for exercising the right to religious freedom. These are included in Justice Ministry amendments to the Code of Administrative Offences, which considerably increase both the range of activities which are punishable and potential penalties. Criticisms by local religious communities – and from the Inter-religious Council - and civil society organisations – such as Open Viewpoint and Egalitee - have been ignored, state officials even claiming they have not made criticisms. Minorities, both within the majority Muslim religious community and non-Muslim minorities – routinely experience state violations of their freedom of religion or belief. There have even been examples of collusion on the part of some officials in attacks on people peacefully assembling to exercise their freedom of religion or belief. Other examples include making the unregistered exercise of freedom of religion or belief by people in association illegal, state moves to ban the Ahmadi Muslim community, and denials of the right to exist of Jehovah's Witnesses, and Also, a Dutch film "I am gay and Muslim" expressing this view was banned by the state in September 2012, though an appeal against the ban is continuing. There is also obstruction or denials of burial according to their own rites to deceased Protestants, Baha'is, Jehovah's Witnesses and Hare Krishna devotees – especially those of ethnic Kyrgyz or ethnic Uzbek background – in village graveyards which it is insisted are only for Muslims. Police often back those obstructing these burials, in some cases actively participating in burial denials.

## ESC Rights

*Recommendation n<sup>o</sup>17: Continue its efforts aimed at the development of policies and programmes for poverty alleviation and eradication, with special emphasis on vulnerable groups, including people with disabilities and women and children, and mainstream a gender perspective into all relevant policies and programmes being developed (Recommended by Armenia)*

*IRI: fully implemented*

### United Nations Children's Fund (UNICEF) response:

Goal and priorities of the National Social Protection Development Strategy for 2012-2014 have stronger relevance to poverty and target poor children and their families and persons with disabilities. The Strategy's annual targets and threshold defining a size of the poverty-targeted benefit (guaranteed minimum income (GMI) are linked to extreme poverty level. Baseline for GMI in 2011 was 35 % of extreme poverty line (EPL). In 2012 Government with policy advocacy by UNICEF, EU and NGOs raised the GMI to 50 % of EPL. The level of categorical benefit to children with disabilities



was raised to the level of Minimum Subsistence declared by the Constitution and respective national legislation.

**Recommendation n°70: Focus on the development of an efficient education system for all throughout the country (Recommended by Iran)**

*IRI: fully implemented*

UNICEF response:

In March 2012 the government of Kyrgyz Republic adopted a new comprehensive Education Development Strategy for 2012-2020 and an Action Plan for implementation of the strategy for 2012-2014. The focus of the government for the upcoming years will be the creation of a quality and efficient education system as the main tool for promoting the social and political development of the country and for ensuring its competitiveness in regional and international processes. The strategy intends to ensure access to high quality basic general and secondary education for everyone, irrespectively of one's age, gender, ethnic and religious background, residence, intellectual and physical development, social-economic status, increase coverage of preschool education; preserve cultural and linguistic diversity and tolerance in multilingual educational environment; support for multi-sector education financing and fair distribution of financial resources.

Additionally, in 2010 UNICEF in collaboration with the UNESCO Institute for Statistics (UIS) launched the Global Initiative on Out-of-School Children (OOSC) to accelerate efforts towards achieving the aim of universal primary education by 2015. The report offers factual, concise descriptions of the situation of out-of-school children in the country, the progress the government of the Kyrgyz Republic has made in this area, and the huge challenges remaining. In 2012 a national conference on OOSC was organized with participation of the line ministries involved, government and parliament representatives. The resolution of the conference call to combine efforts for addressing the reaming barriers in education and reaching excluded children.

**Recommendation n°73: Take serious steps to eradicate poverty, especially in rural areas, and improve living standards (Recommended by Iran)**

*IRI: partially implemented*

UNICEF response:

Kyrgyz Government and Ministry of Social Development have been constantly working on improving selection of beneficiaries for social assistance as per poverty profile. The latter is annually generated by the National Statistical Committee for the national and provincial level. Majority of social cash transfers' beneficiaries are rural poor families having children. Still, other sectors' measures are to be taken to have greater impact on poverty with local authorities taking a lead.

Kyrgyz Government with local municipalities in the fields are developing and implementing interventions focusing on provision of social protection to children in rural, remote and mountainous regions, where there are major inequity gaps. Therefore, in choosing areas of intervention regions with the highest prevalence of child poverty, infant mortality, violence and abuse were targeted among other criteria.



Recommendation n°89: *Fight poverty and provide high-quality education and health care for sustainable development* (Recommended by *Kazakhstan*)

IRI: *fully implemented*

UNICEF response:

The Government of Kyrgyz Republic highlights the importance of education for fighting the poverty. Specifically the importance of improving the quality of education for stopping the vicious cycle of poverty have been specified in Mid-term Development Plan of the Kyrgyz Republic for 2012-2014 and Education development strategy 2012-2020. Education policies and programs pay specific attention to ensure education services for reaching the most vulnerable groups. For example the 100 and 240 hour school preparedness programs that were introduced since 2006 target children who previously did not have access to any early education programs.

## Indigenous & Minorities

Recommendation n°3: *Establish a national preventive mechanism that will constitutionally guarantee the rights of all people, particularly the rights of minorities* (Recommended by *Afghanistan*)

IRI: *not implemented*

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Recommendation n°42: *Establish a national preventive mechanism that would constitutionally-institutionally guarantee the rights of all people, particularly the rights of minorities* (Recommended by *China*)

IRI: *not implemented*

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Recommendation n°157: *Establish a national preventive mechanism that will constitutionally guarantee the rights of all people, particularly the rights of minorities* (Recommended by *Tajikistan*)

IRI: *not implemented*

F-18 response:

No such mechanism has been established. The ability of people from minority religious communities and those holding minority views within the majority Islamic religious community to manifest their freedoms of expression, association, and religion or belief are all restricted by state-backed legislation and by actions of state officials.

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[See response to recommendation n°124]

Recommendation n°6: *Protect the rights of people with disabilities* (Recommended by *Afghanistan*)

IRI: *fully implemented*

UNICEF response:

Kyrgyzstan acceded to the Convention on the Rights of the People with Disabilities in 2011. Additionally, a Social Protection Development Strategy (2012-2014) was adopted in December of 2011, which aims at protecting the rights of people with



disabilities, such as prevention of disability, increasing access to social protection, increasing conditions for equal opportunities. In 2011, Osh city mayor's office with UNICEF support opened a day care center for children with disabilities in order to provide rehabilitation to children and prevent their separation from families due to their disability. A total of 162 children benefit from the services provided at the Center. Additionally, Kyrgyz Government recently elaborated an Optimization Plan on Managing and Financing of Residential Institutions (2013-2015), which sets out priorities for reforming child care institutions for children with disabilities and creation of alternatives for these children.

**Recommendation n°124:** *That the minority communities be included in the process of constitution-making and the formulation of the Electoral Code, in order to take into account their wishes and aspirations* (Recommended by Norway)

**IRI: not implemented**

**F-18 response:**

The new Constitution's guarantees for the human rights of all – for example in Article 16 – are not being respected in law or the state's practice. The ability of people from minority religious communities and those holding minority views within the majority Islamic religious community to manifest their freedoms of expression, association, and religion or belief are all restricted by state-backed legislation and by actions of state officials. Examples include making the unregistered exercise of freedom of religion or belief by people in association illegal, reinforcement in draft government Religion Law amendments of a requirement for 200 people to sign as founders for any community to exist, state moves to ban the Ahmadi Muslim community, denials of the right to exist of Jehovah's Witnesses, and December 2012 censorship amendments to the Religion Law increasing state control over religious literature and allowing some religious organisations to contribute to the censorship of the views of people of other beliefs. Also, a Dutch film "I am gay and Muslim" expressing this view was banned by the state in September 2012, though an appeal against the ban is continuing. There is also obstruction or denials of burial according to their own rites to deceased Protestants, Baha'is, Jehovah's Witnesses and Hare Krishna devotees – especially those of ethnic Kyrgyz or ethnic Uzbek background – in village graveyards which it is insisted are only for Muslims. Police often back those obstructing these burials, in some cases actively participating in burial denials.

**Recommendation n°126:** *Continue its efforts to preserve the nation's ethnic diversity and promote its cultural heritage* (Recommended by Pakistan)

**IRI: not implemented**

**F-18 response:**

The nation's diversity is not respected by state actions. The ability of people from minority religious communities and those holding minority views within the majority Islamic religious community to manifest their freedoms of expression, association, and religion or belief are all restricted by state-backed legislation and by actions of state officials.

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[See response to recommendation n°124]



## International Instruments

Recommendation n°8: *Consider adhering to the Convention on the Rights of Persons with Disabilities* (Recommended by Algeria)

IRI: *fully implemented*

UNICEF response:

Kyrgyzstan acceded to the Convention on the Rights of Persons with Disabilities in 2011.

Recommendation n°14: *Become a party to the Convention on the Rights of Persons with Disabilities and its Optional Protocol, and to the International Convention for the Protection of All Persons from Enforced Disappearance* (Recommended by Argentina)

IRI: *partially implemented*

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Recommendation n°35: *Consider ratifying the International Convention for the Protection of All Persons from Enforced Disappearance, the Convention on the Rights of Persons with Disabilities and its Optional Protocol, the Second Optional Protocol to the International Covenant on Civil and Political Rights* (Recommended by Brazil)

IRI: *partially implemented*

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Recommendation n°56: *Consider acceding to the Convention on the Rights of Persons with Disabilities, and devise national policies and legislation to protect the rights of persons with disabilities* (Recommended by Egypt)

IRI: *partially implemented*

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Recommendation n°72: *Ratify the Convention on the Rights of Persons with Disabilities* (Recommended by Iran)

IRI: *fully implemented*

UNICEF response:

Kyrgyzstan acceded to the Convention on the Rights of Persons with Disabilities in 2011.

Recommendation n°15: *Become party to the Second Optional Protocol to the International Covenant on Civil and Political Rights* (Recommended by Argentina)

IRI: *fully implemented*

World Coalition Against the Death Penalty (WCADP) response:

Recommendation implemented, Kyrgyzstan ratified the Second Optional Protocol in December 2010.

Recommendation n°21: *Issue a standing invitation to all special procedures of the Human Rights Council* (Recommended by Austria)

IRI: *not implemented*

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Recommendation n°34: *Consider issuing a standing invitation to United Nations human rights special procedures* (Recommended by Brazil)

IRI: *not implemented*

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Recommendation n°46: *Issue a standing invitation to the human rights special procedures* (Recommended by Czech Republic)

IRI: *not implemented*

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Recommendation n°62: *Issue a standing invitation to the special procedures of the Human Rights Council* (Recommended by France)

IRI: *not implemented*

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Recommendation n°96: *Consider extending a standing invitation to all special procedures of the Human Rights Council* (Recommended by Latvia)

IRI: *not implemented*

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Recommendation n°134: *Consider favourably issuing a standing invitation to all special procedures in order to further its cooperation with the United Nations human rights mechanisms* (Recommended by Republic of Korea)

IRI: *not implemented*

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Recommendation n°146: *Issue an open and standing invitation to all special procedures of the Human Rights Council* (Recommended by Spain)

IRI: *not implemented*

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Recommendation n°171: *Issue a standing invitation to the United Nations mechanisms and procedures* (Recommended by Uruguay)

IRI: *not implemented*

#### F-18 response:

A standing invitation has not been issued, nor has there been implementation in full of recommendations made by – for example - UN Special procedures for example the 2010 recommendations ( A/HRC/14/22/Add.2 ) of the Special Rapporteur on Violence against Women, its causes and consequences, or the Special Rapporteur on Torture's 2012 recommendations ( A/HRC/19/61/Add.2 ).

Recommendation n°39: *Issue an invitation to the Special Rapporteur on Torture to visit Kyrgyzstan in 2010* (Recommended by Canada)

IRI: *fully implemented*

#### UNICEF response:

The invitation was issued and visit of the Special Rapporteur on Torture was conducted in 2012.

#### F-18 response:

This took place in 2011, but the 2012 recommendations ( A/HRC/19/61/Add.2 ) have not been implemented with many victims -as the Special Rapporteur noted – being reluctant to make their experiences public.





Recommendation n°138: *Further improve its cooperation with all United Nations human rights mechanisms, submitting its overdue reports to treaty bodies, as well as its response to communications of the special procedures (Recommended by Slovakia)*

IRI: *not implemented*

F-18 response:

Communications from, for example, the Special Rapporteur on Freedom of Religion or Belief have gone unanswered. There has not been implementation in full of recommendations made by – for example - UN Special procedures for example the 2010 recommendations ( A/HRC/14/22/Add.2 ) of the Special Rapporteur on Violence against Women, its causes and consequences, or the Special Rapporteur on Torture's 2012 recommendations ( A/HRC/19/61/Add.2 ).

## Justice

Recommendation n°2: *Establish a juvenile judiciary (Recommended by Afghanistan)*

IRI: *not implemented*

UNICEF response:

Though creation of family or juvenile courts is not feasible now, specialization of judges on juvenile issues is being promoted. Representative of the Training Center for Judges recently participated in the regional ToT on Justice for Children, organized in cooperation with UNICEF Regional Office in Georgia and Moldova. As a result of the ToT, training curricula for judges are being amended with a specific focus on Justice for Children component as well as specialization of judges is being introduced. Additionally, the draft National Strategy on Juvenile Justice (2013-2018) currently being elaborated includes specialization of judges among other Juvenile Justice professionals, their capacity building, manual development and other activities aimed at establishing child sensitive judiciary.

Recommendation n°16: *Stop all acts of intimidation, corporal punishment or arrest linked to the activities of human rights defenders, political activists and journalists, and guarantee freedom of expression, without introducing any provisions restricting its exercise (Recommended by Argentina)*

IRI: *not implemented*

F-18 response:

The freedoms of expression, association, and religion or belief are all restricted by state-backed legislation and by actions of state officials. Peaceful assembly is also obstructed by the state failing to protect meetings of minority communities from violent attack, some officials even colluding in some attacks. [..]

Recommendation n°48: *Review the compliance of its national legislation with provisions of the International Covenant on Civil and Political Rights on non-discrimination, in particular with regard to women and persons of minority ethnicity, sexual orientation or gender identity (Recommended by Czech Republic)*

IRI: *not implemented*

Labrys - Kyrgyzstan (LK) response:

Since September 2011 LGBT organization "Labrys" has been keeping a systematic correspondence with various ministries of the Kyrgyz Republic on implementation of recommendations from the UPR. During this correspondence we were primarily interested in the implementation of two recommendations [n°48 and 169], which relate to sexual orientation and gender identity.

**Stage I (September 2011 - October 2011)**

In the first stage of interaction with the state, we needed to get information about which Ministry was responsible for implementation of these recommendations. We have sent several letters to the Ministry of Foreign Affairs of the Kyrgyz Republic with a request to provide us with such information (see pp 1-2 and 5-6 of the Annex "[Kyrgyzstan-LK-Annex.pdf](#)" document).

The first letter from the Ministry of Foreign Affairs informed us that with regards to discrimination against women on the grounds of SOGI we could approach the Ministry of Labour, Employment and Migration of the Kyrgyz Republic, as well the Sector on monitoring and analysis of protection from domestic violence and gender discrimination within the Office of the Ombudsman, and the Advisor to the Minister of the Interior Affairs in charge of gender issues. The letter also told us that women, who became victims of physical violence motivated by their SOGI could contact the Ministry of Health, which maintains statistics on the incidence of violence (confidentiality is not guaranteed) - see pp 3-4 of the Annex "[Kyrgyzstan-LK-Annex.pdf](#)". Unfortunately, the letter did not contain information about the state bodies responsible for implementing the recommendations.

Our second request to the Ministry of Foreign Affairs solicited the following response: implementation of the recommendations will be conducted in accordance with the Action Plan, which is currently being developed by the Ministry of Justice. The Ministry of Labour, Employment and Migration of the Kyrgyz Republic will be responsible for implementing the recommendations of [48 and 169] (see p. 7 Annex "[Kyrgyzstan-LK-Annex.pdf](#)").

**Stage II (February 2012 - July 2012)**

In the second stage we have sent several letters to the Ministry of Justice, Ministry of Labour, Employment and Migration of the Kyrgyz Republic, as well as to the Office of the Ombudsman of the Kyrgyz Republic in order to find out the stage on which the development of the Plan of Action to implement the UPR recommendations was, and whether it would be possible to include a number of recommendations from LGBT organization "Labrys" (we have sent these recommendations to the Ministry of Justice), as well as which official web resource would this Action Plan is or will be available at for the information of the public (see pp. 8-11 of the Annex "[Kyrgyzstan-LK-Annex.pdf](#)").

All ministries and departments have redirected our questions and recommendations to the Ministry of Justice, which did not provide any answer.



In June and July 2012 we again sent two letters of request to the Ministry of Justice on inclusion of our recommendations in the Action Plan to implement the recommendations of the UPR (see pp. 12-13). Responses to these requests have not followed.

### **Stage III (December 2012 - present)**

In December 2012 in a round table on "Implementation of the recommendations of international human rights mechanisms: achievements and challenges" took place in Bishkek. Based on the information received in the course of the discussions, it can be concluded that the Action Plan has not yet been finalized and adopted by the State. And, accordingly, with regards to SOGI-related recommendations received by Kyrgyzstan from the UPR ([n°48 and 169]) nothing has been done to date.

For example, regardless of the facts evidencing a high level of homo- and transphobic violence against LGBT people, the legal framework of the Kyrgyz Republic does not include penalties for attacks and harm caused on homophobic/transphobic grounds, which are still not considered to be an aggravating circumstance.

LGBT organization "Labrys" regularly documents cases of discrimination against LGBT people, both from the ordinary citizens as well as employees of the state security forces (police). A case of physical and sexual assault on a transgender woman was brought to the court by Labrys, however the court did not take into account the explicit transphobic grounds of the crime and proceeded with regular criminal code regulations when making a decision.

#### F-18 response:

National legislation has not been brought into line with the International Covenant on Civil and Political Rights. The freedoms of religion or belief, of expression, association and assembly are restricted by the government not having brought the Religion Law into line with its international human rights obligations, despite the repeated observations on and criticisms of the Religion Law by religious communities, human rights defenders and international actors such as the Special Rapporteur on Freedom of religion or belief (see A/HRC/7/10/Add.1). Instead, December 2012 censorship amendments to the Religion Law increased state control over religious literature and allow some religious organisations to contribute to the censorship of the views of people of other beliefs. Also, the state is currently taking even harsher amendments through parliament, the Zhogorku Kenesh. If passed, these would – among other violations of the state's obligations – ban sending students to foreign religious colleges without government permission, require each religious community to have 200 local citizen adult founders in one locality for it to apply to exist, and ban all exercise of freedom of religion or belief by foreign citizens without a state license. As well as this, the State Commission for Religious Affairs (SCRA), with the help of the National Security Committee (NSC) secret police, has formulated proposed new punishments for exercising the right to religious freedom. These are included in Justice Ministry amendments to the Code of Administrative Offences, which considerably increase both the range of activities which are punishable and potential penalties. Criticisms by local religious communities – and



from the Inter-religious Council - and civil society organisations – such as Open Viewpoint and Egalitee - have been ignored, state officials even claiming they have not made criticisms. Also, the forced participation of female children or young women in religious wedding ceremonies following bride-kidnapping is a continuing freedom of religion or belief issue in Kyrgyzstan, which forced participation also violates a number of other fundamental human rights. For example, the Special Rapporteur on Freedom of Religion or Belief (in A/64/159 paragraph 25) has drawn attention to the fact that the betrothal of a child is a violation of the Article 16 of the Convention on the Elimination of All Forms of Discrimination against Women, acceded to by Kyrgyzstan in 1997 with no reservations. To strengthen the necessary protection of women and girls which UN treaties require and UN Special procedures' have drawn attention to, there is a need for implementation in full of the 2010 recommendations ( A/HRC/14/22/Add.2 ) of the Special Rapporteur on Violence against Women, its causes and consequences.

*Recommendation n°50: Strengthen its safeguards against torture, including through the improvement of conditions in prisons and detention facilities and the establishment of a complaint mechanism for victims of torture (Recommended by Czech Republic)*

IRI: *not implemented*

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*Recommendation n°52: Condemn the use of torture and other ill treatment and ensure the prompt, impartial and comprehensive investigation of all complaints involving the torture of any person subjected to any form of arrest, detention or imprisonment (Recommended by Denmark)*

IRI: -

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*Recommendation n°61: Adopt all provisions necessary to prevent acts of torture and cruel, inhuman or degrading treatment committed by penitentiary or law enforcement personnel, and establish a system for the independent monitoring of all detention centres without exception (Recommended by France)*

IRI: *not implemented*

#### UNICEF response:

Institute of Ombudsman in coordination with civil society organizations and UNICEF support carried out a research on prevalence of torture and ill-treatment of children in the context of juvenile justice. The research revealed grave violations of children's rights to protection from torture and ill treatment in police detention centers, pretrial detention, special school for children under 14 and Juvenile Colony. The research resulted in elaboration of specific recommendations for the Government on addressing the violations.

*Recommendation n°107: That the provisional Government ensure full respect for the rule of law and human rights and, in this regard, abide by all of Kyrgyzstan's international obligations and commitments (Recommended by Lithuania)*

IRI: *not implemented*

#### F-18 response:

This has not happened. The freedoms of expression, association, and religion or belief are all restricted by state-backed legislation and by actions of state officials.



Peaceful assembly is also obstructed by the state failing to protect meetings of minority communities from violent attack, some officials even colluding in some attacks. [...]

Recommendation n°155: *To the current authorities, protect all human rights and respect democratic principles and the rule of law* (Recommended by Switzerland)

IRI: *not implemented*

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Recommendation n°162: *Provide for the comprehensive protection and promotion of all human rights and fundamental freedoms enshrined in the Universal Declaration of Human Rights* (Recommended by Tajikistan)

IRI: *not implemented*

#### F-18 response:

As well as freedom of religion or belief, the freedoms of expression, association and assembly are restricted by the the government not having brought the Religion Law into line with its international human rights obligations, despite the repeated observations on and criticisms of the Religion Law by religious communities, human rights defenders and international actors such as the Special Rapporteur on Freedom of religion or belief (see A/HRC/7/10/Add.1). Peaceful assembly is also obstructed by the state failing to protect meetings of minority communities from violent attack, some officials even colluding in some attacks. Instead, December 2012 censorship amendments to the Religion Law increased state control over religious literature and allow some religious organisations to contribute to the censorship of the views of people of other beliefs. Also, the state is currently taking even harsher amendments through parliament, the Zhogorku Kenesh. If passed, these would – among other violations of the state's obligations – ban sending students to foreign religious colleges without government permission, require each religious community to have 200 local citizen adult founders in one locality for it to apply to exist, and ban all exercise of freedom of religion or belief by foreign citizens without a state license. As well as this, the State Commission for Religious Affairs (SCRA), with the help of the National Security Committee (NSC) secret police, has formulated proposed new punishments for exercising the right to religious freedom. These are included in Justice Ministry amendments to the Code of Administrative Offences, which considerably increase both the range of activities which are punishable and potential penalties. Criticisms by local religious communities – and from the Inter-religious Council - and civil society organisations – such as Open Viewpoint and Egalitee - have been ignored, state officials even claiming they have not made criticisms. Minorities, both within the majority Muslim religious community and non-Muslim minorities – routinely experience state violations of their freedom of religion or belief. Examples include making the unregistered exercise of freedom of religion or belief by people in association illegal, state moves to ban the Ahmadi Muslim community, and denials of the right to exist of Jehovah's Witnesses, and Also, a Dutch film "I am gay and Muslim" expressing this view was banned by the state in September 2012, though an appeal against the ban is continuing. There is also obstruction or denials of burial according to their own rites to deceased Protestants, Baha'is, Jehovah's Witnesses and Hare Krishna devotees – especially those of ethnic Kyrgyz or ethnic Uzbek background – in village graveyards which it is insisted are only for Muslims.

Police often back those obstructing these burials, in some cases actively participating in burial denials.

## Women & Children

Recommendation n°5: *Place emphasis on the rights of women and children in its policies and programmes* (Recommended by Afghanistan)

IRI: *fully implemented*

UNICEF response:

As a result of UNICEF technical and programmatic support, National Strategy of Social Protection Development for 2012-2014 clearly prioritise social support to vulnerable and poor children and their families and set the goal to improve effectiveness of the state benefits in poverty reduction, and social services delivery.

Youth Human Rights Group (YHRG) response:

At the moment, most of the state programs focuses on the protection of child and women rights. In 2011 social protection of children was included into the state strategy on development of social protection of population.

Recommendation n°11: *Continue to promote women's emancipation in all spheres of society* (Recommended by Angola)

IRI: *not implemented*

F-18 response:

Women's emancipation is obstructed by the forced participation of female children or young women in religious wedding ceremonies following bride-kidnapping. This violates a number of human rights including freedom of religion or belief. For example, the Special Rapporteur on Freedom of Religion or Belief (in A/64/159 paragraph 25) has drawn attention to the fact that the betrothal of a child is also a violation of the Article 16 of the Convention on the Elimination of All Forms of Discrimination against Women, acceded to by Kyrgyzstan in 1997 with no reservations. To strengthen the necessary protection of women and girls which UN treaties require and UN Special procedures' have drawn attention to, there is a need for implementation in full of the 2010 recommendations ( A/HRC/14/22/Add.2 ) of the Special Rapporteur on Violence against Women, its causes and consequences.

Recommendation n°12: *Strengthen policies for the protection of the rights and interests of children* (Recommended by Angola)

IRI: *fully implemented*

UNICEF response:

Kyrgyzstan recently adopted a new version of the Child Code in July 2012, which brings it in alignment with international standards and introduces stronger gatekeeping mechanism to prevent family separation and institutionalization, a new concept of justice for children, protection of children in difficult life situation etc. In order to enforce the Child code, regulations on foster care, on minimum standards on social services and on assessment of vulnerable children were developed; a set of



additional bylaws are currently being elaborated. Moreover, the Strategy on the Development of Social Protection of the Population for 2014-2014 includes a component on social protection of children with provision of a range of services responding to various vulnerabilities of children. In addition, in 2011 a Ministry of Social Development was re-established with a vertical alignment of the child protection system. Upon adoption of Child Code social workers are now mandated to work with vulnerable children, beyond just elderly and disabled. Additionally, as per Child Code, local authorities are now charged with identification of vulnerable children at the local level and further problem solution or referral.

YHRG response:

In 2010, a new Constitution of the Kyrgyz Republic, which provides the principle of the best interests of the child, was adopted. The Code "On Children" of the Kyrgyz Republic, adopted in 2011, also reflects this principle and put responsibility for the competent authorities on protection of child rights to develop a plan on protection of child, who is in a difficult situation, taking into account the individual characteristics and needs of the child and in the best interests of child.

*Recommendation n°13: Adopt measures to ensure full compliance with laws criminalizing bride kidnapping, forced marriage and polygamy, as well as the training of police and judicial staff in strengthening those mechanisms aimed at respecting the rights and protection of victims of domestic violence (Recommended by Argentina)*

*IRI: fully implemented*

UNICEF response:

Parliament of Kyrgyzstan has passed a bill on introducing amendments to Criminal Code of the Kyrgyz Republic, whereby citizen that abducts a women for a marriage without consent may be sentenced from 3 to 5 years of imprisonment on December 13, 2012.

*Recommendation n°23: Take further legislative and practical measures to end violence against women, in particular also addressing the problem of bride kidnapping (Recommended by Austria)*

*IRI: fully implemented*

UNICEF response:

Child Support Center under Bishkek Mayor's office was opened in December of 2011 with UNICEF and Ministry of Social Development support. The Center provides consultative support and rehabilitation services for girls and boys victims and witnesses of violence and abuse. In addition, UNICEF together with UN agencies and international organizations supported 16 day campaign against violence against women, whereby awareness raising and advocacy efforts against violence against women were carried out. Moreover, VAW found emphasis in the National Strategy on Gender Equality 2012-2020 developed by Kyrgyz Government with support of UNICEF and other UN agencies. Additionally, Parliament of Kyrgyzstan has passed a bill on introducing amendments to Criminal Code of the Kyrgyz Republic, whereby citizen that abducts a women for a marriage without consent may be sentenced from 3 to 5 years of imprisonment on December 13, 2012.



Recommendation n°29: *Continue to empower women and broaden the scope for their participation in society* (Recommended by *Bangladesh*)

IRI: *not implemented*

F-18 response:

The empowerment of women and participation in society is obstructed by the forced participation of female children or young women in religious wedding ceremonies following bride-kidnapping. This violates a number of human rights including freedom of religion or belief. [...]

Recommendation n°32: *Take concrete measures to ensure the effective application of the law on domestic violence, and in particular increase human and financial resources for this purpose* (Recommended by *Belgium*)

IRI: *not implemented*

YHRG response:

In the case of child rights protection, measures were not taken. At the present, a department of family and child support under the Ministry of Social Development (hereafter- FCSD) is not provided with adequate financial, administrative and human resources (the FCSD has 3 specialist for area with a population of about 100,000). Professional psychologists and social workers have no interest in working for FCSD because of the low salary and high liability and duties. The level of qualification of FCSD staff, especially in the regions, is not insufficient. FCSD has legal protection of the child, who is in a difficult situation, including representation of child interests in court and to protect the child from abuse or ill-treatment as part of its responsibilities but FCSD has no legal support or training in the implementation of legislation.

Recommendation n°37: *Strengthen its policy for the full guarantee of the rights of the child, with attention to implementing the Guidelines for the Alternative Care of Children, according to resolution 11-7 of the Human Rights Council and 64-142 of the General Assembly* (Recommended by *Brazil*)

IRI: *fully implemented*

UNICEF response:

Kyrgyz Government elaborated in 2012 an Optimization Plan on Managing and Financing of Residential Institutions (2013-2015), which sets out priorities for reforming child care institutions for children left without parental care and children with disabilities. The Optimization Plan sets out priority institutions, where deinstitutionalization shall happen in the next three years. Special emphasis is made on developing and strengthening gatekeeping mechanism at the local level and prevention of child abandonment in maternity wards and stopping institutionalization of children under three years. As such, changes were introduced into statistical forms on children under three in infant homes (there are three infant homes in the country). New indicators were introduced in coordination with international standards and were approved by National Statistical Committee. Moreover, a training course on child abandonment in maternity wards was developed by Training Institute of the Ministry of Health, which was integrated into the training curriculum of the Institute and approved by Decree of the Minister of Health. First ToT was carried out in the beginning of December of 2012. By the Government of Kyrgyzstan a moratorium was announced on opening of new residential care institutions. Regulations on foster care





and minimum standards on social services were adopted by the Government to support child care system reform in the country.

YHRG response:

The Code “On Children of the Kyrgyz Republic” were changed in accordance with international standards set out in General Assembly resolution 64/142, designed to ensure family environment to child and development of family-based care for children. In 2012, government of the Kyrgyz Republic adopted the plan on optimization of management and funding of orphanages, which covers 19 institutions for children. The plan is focused on deinstitutionalization of large state institutions for children and support of families in order to return the children to their families.

Recommendation n<sup>o</sup>44: *High priority is given to the fight against domestic violence, forced marriages and trafficking in human beings, including through the strengthening of provisions for the investigation of and punishments for such crimes, the provision of support and protection to the victims, and raising public awareness of them (Recommended by Czech Republic)*

*IRI: not implemented*

YHRG response:

It is not implemented. Level of detection of child abuse in the family and in institutions for children is extremely low. Punishment for such offenses is not satisfactory due to the low efficiency of the investigation and forensic medical examination and practice of psychological evaluation is missing. Population rarely submits complains on ill-treatment to the public authorities. According to the Prosecutor General's office only 22 complains on child abuse were submitted to the Prosecutors' Office for the period from 2010 to 2012.

F-18 response:

Domestic violence still takes place in the context of bride-kidnapping and the forced participation of female children or young women in religious wedding ceremonies following bride-kidnapping. This violates a number of human rights including freedom of religion or belief. [...]

Recommendation n<sup>o</sup>54: *Ensure that measures are in place to fight and eradicate child labour (Recommended by Denmark)*

*IRI: partially implemented*

YHRG response:

In 2011 the Ministry of Social Development started a project on implementation of mechanisms of child labor monitoring in the 3 pilot regions. From October 1 to December 31 of 2011, 24 monitors identified 150 child laborers and children at risk of usage in worst forms of child labor in the three pilot areas.

Recommendation n<sup>o</sup>59: *Raise the minimum age for marriage and establish a juvenile judiciary (Recommended by Egypt)*

*IRI: partially implemented*

UNICEF response:

In 2011 through adoption of a separate bill all religious marriages are required to pass civil registration, thus the legal age for marriage is 18 (in exceptional cases 17).



Though creation of family or juvenile courts is not feasible now, specialization of judges on juvenile issues is being promoted. Representative of the Training Center for Judges recently participated in the regional ToT on Justice for Children, organized in cooperation with UNICEF Regional Office. As a result of the ToT, training curricula for judges will be amended with a specific focus on Justice for Children component as well as specialization of judges will be introduced. Additionally, the draft National Strategy on Juvenile Justice (2013-2018) currently being elaborated includes specialization of judges among other Juvenile Justice professionals, their capacity building, manual development and other activities aimed at establishing child sensitive judiciary.

YHRG response:

Partially implemented. In 2011, section on juvenile judiciary was included into the Code "On Children". This section reflects the basic principles and mechanisms of justice for children in conflict with the law. Unfortunately, to date mechanisms of participation of child victims and witnesses of crime in justice system are not effective and do not meet international standards.

F-18 response:

The minimum age for marriage is now 18, but there is still forced participation of female children or young women in religious wedding ceremonies following bride-kidnapping. [...]

Recommendation n°60: *That the ongoing constitutional reform should provide for the comprehensive promotion and protection of all human rights, with particular emphasis on the rights of women and children* (Recommended by Egypt)

IRI: *fully implemented*

YHRG response:

Implemented. As part of the constitutional reform this issue was highlighted and current Constitution guarantees the equality of men and women and the best interests of child.

Recommendation n°76: *Put in place a specialized body specifically responsible for gender issues* (Recommended by Ireland)

IRI: *fully implemented*

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Recommendation n°119: *Set up a specialized body responsible for gender issues* (Recommended by Norway)

IRI: *fully implemented*

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Recommendation n°143: *Create a specific institution to ensure the proper implementation of measures related to gender equality and violence* (Recommended by Spain)

IRI: *fully implemented*

YHRG response:

[...] Department on Gender Politics was established under the Ministry of Labour and Employment.



Recommendation n<sup>o</sup>79: *Fight against torture, in particular torture against minors*  
(Recommended by *Italy*)

IRI: *not implemented*

UNICEF response:

Institute of Ombudsman in coordination with civil society organizations and UNICEF support carried out a research on prevalence of torture and ill-treatment of children in the context of juvenile justice. The research revealed grave violations of children's rights to protection from torture and ill treatment in police detention centers, pretrial detention, special school for children under 14 and Juvenile Colony. The research resulted in elaboration of specific recommendations for the Government to follow and address. Special measures on prevention of torture and ill-treatment are to be developed along with advocacy.

YHRG response:

Not implemented. In institutions for children, including children's homes, boarding schools, psychiatric hospitals, institutions for children in conflict with the law, effective mechanisms of submission of complaints on torture and ill-treatment are not provided. In case if legal representative of child uses ill-treatment or torture the child protection mechanisms are completely absent. According to the Prosecutor General's office only two complaints on use of torture against minors were received for the period from 2010 to 2012 but no criminal charges were filed. At the same time, according to UNICEF research in 2012, 18 cases of torture were revealed in five institutions for children in conflict with the law.

Recommendation n<sup>o</sup>82: *Continue making efforts to take effective measures for the promotion and protection of women's and children's rights, including improvements with regard to the issues of bride-kidnapping, domestic violence, child abuse and the sale of children* (Recommended by *Japan*)

IRI: *partially implemented*

UNICEF response:

Referral pathways are currently being developed in Bishkek city on issues of child abuse and violence. Additionally, Child Support Center under Bishkek Mayor's office was opened in December of 2011 with UNICEF and Ministry of Social Development support. The Center provides consultative support and rehabilitation services for girls and boys victims and witnesses of violence and abuse. In addition, UNICEF together with UN agencies and international organizations supported 16 day campaign against violence against women, whereby awareness raising and advocacy efforts against violence against women were carried out. Moreover, VAW found emphasis in the National Strategy on Gender Equality 2012-2020 developed by Kyrgyz Government with support of UNICEF and other UN agencies.

YHRG response:

In progress.

F-18 response:

The forced participation of female children or young women in religious wedding ceremonies following bride-kidnapping is a continuing freedom of religion or belief



issue, which forced participation also violates a number of other fundamental human rights. [...]

Recommendation n°84: *Consider increasing the minimum age of marriage for girls* (Recommended by Jordan)

IRI: *fully implemented*

UNICEF response:

Minimum age of marriage for girls is 18, under exceptional cases 17.

YHRG response:

Implemented. In 2011, changes in the Family Code of the Kyrgyz Republic were made: According to Article 14 the minimum age of marriage is 18, if there is a need, the executive bodies of local self-government may reduce for one year of age based on the conclusion of the territorial units of the authorized body for the protection of children.

F-18 response:

The minimum age for marriage is now 18, but there is still forced participation of female children or young women in religious wedding ceremonies following bride-kidnapping. [...]

Recommendation n°86: *Give special regard to women and children and enhance their enjoyment of human rights and fundamental freedoms* (Recommended by Jordan)

IRI: *not implemented*

YHRG response:

Regarding children, it is not implemented. Lack of effective mechanisms of protection from ill-treatment and torture and children's opinion is often not taken into account in decision making process on their fate at the state level and at the level of the family - traditionally dominant and authoritarian system of upbringing is practiced. Access to justice in the Kyrgyz Republic is limited by age: a children whose rights are violated by their legal representatives (parents, director of the institution where he lives) do not actually have the opportunity to get legal protection in administrative or civil proceedings or to represent their interests in criminal proceedings because of the absence of the right to choose a representative.

F-18 response:

The forced participation of female children or young women in religious wedding ceremonies following bride-kidnapping is a continuing freedom of religion or belief issue, which forced participation also violates a number of other fundamental human rights. [...]

Recommendation n°92: *Continue its reform of the system to protect children and enhance the social services for its population through the New Generation programme* (Recommended by Kuwait)

IRI: *not implemented*

YHRG response:

Not implemented. State programme on child rights protection "New Generation" is ended in 2010. New programme is not adopted. Development of social protection of children is included into the state strategy on social protection of population till 2014.

Recommendation n°100: *Activate the New Generation programme with regard to children's rights and initiate cooperation with UNICEF and other relevant international human rights organizations* (Recommended by *Libya*)

IRI: *fully implemented*

YHRG response:

Implemented. Government of the Kyrgyz Republic is actively collaborating with UNICEF in the field of child rights protection.

Recommendation n°102: *Continue actions to improve the situation of women, and take additional actions to eliminate forced or arranged marriage, polygamy and sexual violence* (Recommended by *Lithuania*)

IRI: *not implemented*

YHRG response:

In progress.

F-18 response:

Violence still takes place in the context of bride-kidnapping and the forced participation of female children or young women in religious wedding ceremonies following bride-kidnapping. [...]

Recommendation n°104: *Further protect children's rights - in particular, fully implement the prohibition of child labour and adopt legislation providing for responsibility for the use of child labour* (Recommended by *Lithuania*)

IRI: *partially implemented*

YHRG response:

The Criminal Code (Article 124) stipulates charge for the exploitation of child labor, child prostitution, child pornography and slavery (art.125-1). However, in practice these articles on child rights protection are used rarely. National statistics for the period 2005-2010 shows that the abuse of minors including use of child labor, child prostitution, child pornography and trafficking of children is not registered.

Recommendation n°109: *Further improve measures to address the problems related to gender issues, including violence against women, through, inter alia, the establishment of effective coordination and the strengthening of an enforcement and judicial system for the greater protection of women and girls* (Recommended by *Malaysia*)

IRI: *not implemented*

YHRG response:

Not implemented.

Recommendation n°128: *Continue to place emphasis on the rights of women and children in its policies and programmes* (Recommended by *Pakistan*)

IRI: *partially implemented*

YHRG response:

In progress.

Recommendation n<sup>o</sup>137: *Adopt and implement necessary measures, including its national programme of action of the social partners for the eradication of the worst forms of child labour, with a view to eliminating this phenomenon* (Recommended by Slovakia)

IRI: *partially implemented*

YHRG response:

partially implemented. National programme of action of the social partners for eradication of the worst forms of child labour ended in 2011.

Recommendation n<sup>o</sup>144: *Eliminate the practice of requiring boys and girls to work in the educational institutions where they are enrolled* (Recommended by Spain)

IRI: *not implemented*

YHRG response:

Not implemented. The use of child labor continues. In the case of child labor use in educational institutions, children's homes and boarding schools effective measures to eliminate this phenomenon are not taken. Practice of child labor use in the fields for covering living conditions of children in the institution was revealed in Chaldovar boarding school in Talas region and it continues from 2009 to the present. Belovodsk special school for children in need of special conditions of upbringing in 2012 the worst forms of child labor and slavery were revealed. Criminal case against the director of the school was filed but during the hearings case was dropped due to the reconciliation of the parties (without participation of child victims, accused director reconciled with the new director) despite of the full recognition and acknowledgment of his guilt by the director and identification of guilt by the court. Criminal liability for people who exploited child labor in the institution was not charged.

Recommendation n<sup>o</sup>150: *Ensure the full legal protection of the freedom of children from physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including corporal punishment in any setting, and take further practical measures to stem the occurrence of violence against children* (Recommended by Sweden)

IRI: *not implemented*

UNICEF response:

Referral pathways are currently being developed in Bishkek city on issues of child abuse and violence. Additionally, Child Support Center under Bishkek Mayor's office was opened in December of 2011 with UNICEF and Ministry of Social Development support. The Center provides consultative support and rehabilitation services for girls and boys victims and witnesses of violence and abuse. In addition, UNICEF together with UN agencies and international organizations supported 16 day campaign against violence against women, whereby awareness raising and advocacy efforts against violence against women were carried out. Moreover, VAW found emphasis in the National Strategy on Gender Equality 2012-2020 developed by Kyrgyz Government with support of UNICEF and other UN agencies.

Global Initiative to End All Corporal Punishment of Children (GIEACPC) response:

During the UPR in 2010, the Kyrgyzstan Government asserted that corporal punishment of children is prohibited by law in Kyrgyzstan. Our attempts to verify this claim confirmed only the results of our previous research, namely that the Children's Code explicitly prohibits corporal punishment in education settings. There is no explicit prohibition of corporal punishment of children in the home or in non-institutional forms of care.

YHRG response:

Not implemented. In institutions for children, including children's homes, boarding schools, psychiatric hospitals, institutions for children in conflict with the law, effective mechanisms of submission of complaints on torture and ill-treatment are not provided. In case if legal representative of child uses ill-treatment or torture the child protection mechanisms are completely absent. According to the Prosecutor General's office only two complaints on use of torture against minors were received for the period from 2010 to 2012 but no criminal charges were filed. At the same time, according to UNICEF research in 2012, 18 cases of torture were revealed in five institutions for children in conflict with the law.

Recommendation n°159: *Place emphasis on the rights of women and children in its policies and programmes (Recommended by Tajikistan)*

IRI: *fully implemented*

YHRG response:

Implemented. At the moment, most of the state programs focuses on the protection of child and women rights. In 2011 social protection of children was included into the state strategy on development of social protection of population.

Recommendation n°167: *Address the situation of children living or working on the street and juvenile offenders - intensify measures to criminalize and sanction cases involving the sale of children, child prostitution and child pornography - and initiate reforms of the juvenile justice system in line with international standards (Recommended by Uruguay)*

IRI: *partially implemented*

UNICEF response:

Draft National Strategy on Reform of Juvenile Justice (2013-2018) currently being elaborated aims at initiating reforms of the Juvenile Justice System in line with international standards.

YHRG response:

Partially implemented. In 2011, section on juvenile judiciary was included into the Code "On Children". This section reflects the basic principles and mechanisms of justice for children in conflict with the law. Unfortunately, to date mechanisms of participation of child victims and witnesses of crime in justice system are not effective and do not meet international standards. Effective procedures and mechanisms for the prevention of child trafficking are not included. At the moment high level of corruption in international adoption process is revealed and there is a public discussion of Regulation on accreditation of agencies on international adoption. The Criminal Code (Article 124) stipulates charge for the exploitation of child labor, child



prostitution, child pornography and slavery (art.125-1). However, in practice these articles on child rights protection are used rarely. National statistics for the period 2005-2010 shows that the abuse of minors including use of child labor, child prostitution, child pornography and trafficking of children is not registered.

*Recommendation n°169: Intensify in practice sanctions in cases of domestic violence, bridekidnapping, forced marriage, polygamy and discrimination against women due to sexual orientation, as well as promote mechanisms of protection that guarantee the rights of victims of domestic violence (Recommended by Uruguay)*

*IRI: not implemented*

UNICEF response:

Parliament of Kyrgyzstan has passed a bill on introducing amendments to Criminal Code of the Kyrgyz Republic, whereby citizen that abducts a women for a marriage without consent may be sentenced from 3 to 5 years of imprisonment on December 13, 2012.

YHRG response:

It is not implemented. Level of detection of child abuse in the family and in institutions for children is extremely low. Punishment for such offenses is not satisfactory due to the low efficiency of the investigation and forensic medical examination and practice of psychological evaluation is missing. Population rarely submits complains on ill-treatment to the public authorities. According to the Prosecutor General's office only 22 complains on child abuse were submitted to the Prosecutors' Office for the period from 2010 to 2012. At the same time, according to the UNICEF research 72% of children faced violence abuse in their family(including physical and psychological abuse).

LK response:

Since September 2011 LGBT organization "Labrys" has been keeping a systematic correspondence with various ministries of the Kyrgyz Republic on implementation of recommendations from the UPR. During this correspondence we were primarily interested in the implementation of two recommendations [n°48 and 169], which relate to sexual orientation and gender identity.

**Stage I (September 2011 - October 2011)**

In the first stage of interaction with the state, we needed to get information about which Ministry was responsible for implementation of these recommendations. We have sent several letters to the Ministry of Foreign Affairs of the Kyrgyz Republic with a request to provide us with such information (see pp 1-2 and 5-6 of the Annex "[Kyrgyzstan-LK-Annex.pdf](#)" document).

The first letter from the Ministry of Foreign Affairs informed us that with regards to discrimination against women on the grounds of SOGI we could approach the Ministry of Labour, Employment and Migration of the Kyrgyz Republic, as well the Sector on monitoring and analysis of protection from domestic violence and gender discrimination within the Office of the Ombudsman, and the Advisor to the Minister of the Interior Affairs in charge of gender issues. The letter also told us that women, who became victims of physical violence motivated by their SOGI could contact the





Ministry of Health, which maintains statistics on the incidence of violence (confidentiality is not guaranteed) - see pp 3-4 of the Annex "[Kyrgyzstan-LK-Annex.pdf](#)". Unfortunately, the letter did not contain information about the state bodies responsible for implementing the recommendations.

Our second request to the Ministry of Foreign Affairs solicited the following response: implementation of the recommendations will be conducted in accordance with the Action Plan, which is currently being developed by the Ministry of Justice. The Ministry of Labour, Employment and Migration of the Kyrgyz Republic will be responsible for implementing the recommendations of [48 and 169] (see p. 7 Annex "[Kyrgyzstan-LK-Annex.pdf](#)").

### **Stage II (February 2012 - July 2012)**

In the second stage we have sent several letters to the Ministry of Justice, Ministry of Labour, Employment and Migration of the Kyrgyz Republic, as well as to the Office of the Ombudsman of the Kyrgyz Republic in order to find out the stage on which the development of the Plan of Action to implement the UPR recommendations was, and whether it would be possible to include a number of recommendations from LGBT organization "Labrys" (we have sent these recommendations to the Ministry of Justice), as well as which official web resource would this Action Plan is or will be available at for the information of the public (see pp. 8-11 of the Annex "[Kyrgyzstan-LK-Annex.pdf](#)").

All ministries and departments have redirected our questions and recommendations to the Ministry of Justice, which did not provide any answer.

In June and July 2012 we again sent two letters of request to the Ministry of Justice on inclusion of our recommendations in the Action Plan to implement the recommendations of the UPR (see pp. 12-13). Responses to these requests have not followed.

### **Stage III (December 2012 - present)**

In December 2012 in a round table on "Implementation of the recommendations of international human rights mechanisms: achievements and challenges" took place in Bishkek. Based on the information received in the course of the discussions, it can be concluded that the Action Plan has not yet been finalized and adopted by the State. And, accordingly, with regards to SOGI-related recommendations received by Kyrgyzstan from the UPR ([n°48 and 169]) nothing has been done to date.

For example, regardless of the facts evidencing a high level of homo- and transphobic violence against LGBT people, the legal framework of the Kyrgyz Republic does not include penalties for attacks and harm caused on homophobic/transphobic grounds, which are still not considered to be an aggravating circumstance.

LGBT organization "Labrys" regularly documents cases of discrimination against LGBT people, both from the ordinary citizens as well as employees of the state security forces (police). A case of physical and sexual assault on a transgender



woman was brought to the court by Labrys, however the court did not take into account the explicit transphobic grounds of the crime and proceeded with regular criminal code regulations when making a decision.

TTAG response:

According to local CBOs, there have been problems in lack of coordination between different government institutions as to which government bodies are responsible for implementation, including vis-à-vis lesbians.

Recommendation n°175: *Undertake the corresponding measures to improve the birth registry system as recommended by the Committee on the Rights of the Child (Recommended by Uruguay)*

IRI: *partially implemented*

UNICEF response:

A survey on birth registration was carried out by National Statistics Committee and Ministry of Health in 2012, the findings of which will feed into development of further steps on addressing gaps and bottlenecks in the area of birth registration.

## Other

Recommendation n°27: *Work closely with civil society organizations and other international organizations in the implementation of the recommendations emanating from this process (Recommended by Austria)*

IRI: *not implemented*

F-18 response:

Repeated observations on and criticisms of the Religion Law and other legislation – including that currently being proposed by the state - by religious communities, human rights defenders, civil society organisations such as Open Viewpoint and Egalitee, and international actors such as the Special Rapporteur on Freedom of religion or belief (see A/HRC/7/10/Add.1) have been ignored. State officials have even claimed that no criticism has been made.

Recommendation n°93: *Continue to cooperate with the United Nations and the Human Rights Council in protecting and promoting human rights (Recommended by Laos)*

IRI: *not implemented*

F-18 response:

There has not been implementation in full of recommendations made by – for example - UN Special procedures for example the 2010 recommendations ( A/HRC/14/22/Add.2 ) of the Special Rapporteur on Violence against Women, its causes and consequences, or the Special Rapporteur on Torture's 2012 recommendations ( A/HRC/19/61/Add.2 ).

## Methodology

### A. First contact

Although the methodology has to consider the specificities of each country, we applied the same procedure for data collection about all States:

1. We contacted the Permanent Mission to the UN either in Geneva (when it does exist) or New York;
2. We contacted all NGOs which took part in the process. Whenever NGOs were part of coalitions, each NGO was individually contacted;
3. The National Institution for Human Rights was contacted whenever one existed.
4. UN Agencies which sent information for the UPR were contacted.

We posted our requests to the States and NHRI, and sent emails to NGOs and UN Agencies.

The purpose of the UPR is to discuss issues and share concrete suggestions to improve human rights on the ground. Therefore, stakeholders whose objective is not to improve the human rights situation were not contacted, and those stakeholders' submissions were not taken into account.

However, since the UPR is meant to be a process which aims at sharing best practices among States and stakeholders, we take into account positive feedbacks from the latter.

### B. Processing recommendations and voluntary pledges

Stakeholders we contact are encouraged to use an Excel sheet we provide which includes all recommendations received and voluntary pledges taken by the State reviewed.

Each submission is processed, whether the stakeholder has or has not used the Excel sheet. In the latter case, the submission is split up among recommendations we think it belongs to. Since such a task is more prone to misinterpretation, we strongly encourage stakeholders to use the Excel sheet.

If the stakeholder does not clearly mention neither that the recommendation was “fully implemented” nor that it was “not implemented”, UPR Info usually considers the recommendation as “partially implemented”, unless the implementation level is obvious.



UPR Info retains the right to edit comments that are considered not to directly address the recommendation in question, when comments are too lengthy or when comments are defamatory or inappropriate. While we do not mention the recommendations which were not addressed, they can be accessed unedited on the follow-up webpage.

### C. Implementation Recommendation Index (IRI)

UPR Info developed an index showing the implementation level achieved by the State for both recommendations received and voluntary pledges taken at the UPR.

The **Implementation Recommendation Index (IRI)** is an individual recommendation index. Its purpose is to show an average of stakeholders' responses.

The *IRI* is meant to take into account stakeholders disputing the implementation of a recommendation. Whenever a stakeholder claims nothing has been implemented at all, the index score is 0. At the opposite, whenever a stakeholder claims a recommendation has been fully implemented, the *IRI* score is 1.

An average is calculated to fully reflect the many sources of information. If the State under Review claims that the recommendation has been fully implemented, and a stakeholder says it has been partially implemented, the score is 0.75.

Then the score is transformed into an implementation level, according to the table below:

Percentage:	Implementation level:
0 – 0.32	Not implemented
0.33 – 0.65	Partially implemented
0.66 – 1	Fully implemented

Example: On one side, a stakeholder comments on a recommendation requesting the establishment of a National Human Rights Institute (NHRI). On the other side, the State under review claims having partially set up the NHRI. As a result of this, the recommendation will be given an *IRI* score of 0.25, and thus the recommendation is considered as “not implemented”.

#### **Disclaimer**

*The comments made by the authors (stakeholders) are theirs alone, and do not necessarily reflect the views, and opinions at UPR Info. Every attempt has been made to ensure that information provided on this page is accurate and not abusive. UPR Info cannot be held responsible for information provided in this document.*

## Uncommented recommendations

Hereby the recommendations which the MIA does not address:

rec. n°	Recommendation	SMR	Response	A	Issue
1	Adopt a zero-tolerance policy towards corruption	Afghanistan	Accepted	4	Corruption
4	Hold open and transparent elections	Afghanistan	Accepted	5	Elections
7	Pursue development policies and programmes aimed at poverty eradication	Afghanistan	Accepted	2	Poverty
9	Establish a National Human Rights Institution accredited with the International Coordinating Committee of the National Human Rights Institutions	Algeria	Accepted	5	NHRI
10	Intensify efforts to ensure at least 30 per cent representation of women in central and local state bodies, including at the decision-making level, in line with presidential decree No. 136 of 20 March 2006	Algeria	Accepted	4	Women's rights
18	Provide for the comprehensive protection and promotion of all human rights and fundamental freedoms within the envisaged constitutional reform	Armenia	Accepted	4	General
19	Ensure full respect for minority rights in the new constitution	Austria	Accepted	4	Minorities
20	Ensure that the new constitution guarantees equality between women and men	Austria	Accepted	4	Women's rights
22	Ratify the Rome Statute of the International Criminal Court	Austria	General Response	5	International instruments, Justice
24	Take measures to ensure the full independence of the judiciary and to ensure that guarantees of fair trial for everyone are implemented	Austria	Accepted	4	Justice
26	That the provisional Government urgently take all steps necessary to ensure the holding of the referendum on the new constitution and parliamentary elections - announced for 27 June and 10 October 2010 - in a free, fair and democratic manner, and fully take into account the relevant expert opinion of the Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe, as well as of the Venice Commission of the Council of Europe	Austria	Accepted	4	Elections



28	Continue its efforts to combat poverty with the support of the international community	Bangladesh	Accepted	2	Poverty, Technical assistance
30	Ratify, as soon as possible, the Second Optional Protocol to the International Covenant on Civil and Political Rights	Belgium	Accepted	5	Death penalty, International instruments
31	Respect in all circumstances the principle of non-refoulement, guarantee that asylum seekers have an asylum procedure which is in line with international standards, and respond to the requests for information made by the Committee on the Elimination of Racial Discrimination regarding the treatment of asylum seekers	Belgium	Accepted	4	Asylum-seekers - refugees, Treaty bodies
33	Accomplish the Human Rights Voluntary Goals set out in resolution 9-12 of the Human Rights Council	Brazil	General Response	4	General
36	Consider the ratification of the Rome Statute	Brazil	No Response	3	International instruments, Justice
38	Hold free and fair elections as soon as possible	Canada	Accepted	5	Elections
40	Review and strengthen existing legislation prohibiting violence against women and discrimination on any grounds - allocate significant financial and human resources to enforce implementation of policy, and increase accountability measures for acts of violence by state actors	Canada	Accepted	4	Human rights violations by state agents, Women's rights
43	Pursue development policies and programmes aimed at poverty alleviation and eradication	China	Accepted	2	Poverty
45	Introduce human rights education and training to members of the police and prison and detention staff, and ensure their accountability for human rights violations	Czech Republic	Accepted	4	Detention conditions, Human rights education and training
49	Review the national implementation of the principle of non-refoulement	Czech Republic	Accepted	3	Asylum-seekers - refugees
51	That the organization of a transparent and inclusive election process in compliance with international standards is undertaken as a matter of priority, together with the thorough transparent, impartial and independent investigation of the recent violent events	Czech Republic	Accepted	4	Elections
53	Ensure that all journalists and human rights defenders can work in safe conditions	Denmark	Accepted	4	Freedom of the press, Human rights defenders
55	Continue to strengthen the national preventive mechanism	DPR Korea	Accepted	2	Other
57	Consider establishing an independent national human rights institution in conformity with the Paris Principles	Egypt	Accepted	3	NHRI
58	Pursue development policies and programmes aimed at poverty alleviation	Egypt	Accepted	2	Poverty



63	Sign and ratify the International Convention for the Protection of All Persons from Enforced Disappearance	France	Accepted	5	Enforced disappearances, International instruments
65	Establish constitutional reforms that will guarantee the separation of powers, the rule of law, the independence of the judiciary and the civil and democratic rights of Kyrgyzstan's citizens	Germany	Accepted	5	Justice
66	Train armed forces and police in the respect of fundamental rights of the citizens, notably the right to assembly and legally ban the disproportional use of force against its own population	Germany	Accepted	5	Freedom of association and peaceful assembly, Human rights education and training
68	Implement urgently the provisions enshrined in the ILO Worst Forms of Child Labour Convention, with special emphasis on articles 1 and 6	Hungary	Accepted	5	International instruments, Labour, Rights of the Child
69	That the gradual entry into force of the 2009 Law on Jury Trials be accompanied by substantial preparatory work with judges, together with awareness-raising, and with the inclusion of the human rights education in practice	Hungary	Accepted	5	Human rights education and training, Justice
71	Make efforts to strengthen national capacities in the field of human rights while benefiting from the technical assistance of the Office of the High Commissioner for Human Rights	Iran	Accepted	4	Technical assistance
74	Ensure that the independence of the judiciary is fully guaranteed in its legal framework	Ireland	Accepted	4	Justice
75	Guarantee freedom of the media in the draft media law in accordance with international standards	Ireland	Accepted	4	Freedom of the press
77	Remove the offence of liable for journalists from the Criminal Code	Ireland	General Response	5	Freedom of the press
78	Take on board the opinions of the Office for Democratic Institutions and Human Rights of the Organization of Security and Cooperation in Europe and the Venice Commission of the Council of Europe in the organization of the constitutional referendum and parliamentary elections	Ireland	Accepted	4	Elections
80	Guarantee an environment for journalists free of intimidation and attacks	Italy	Accepted	4	Freedom of the press
81	Take into account the relevant expert opinions of the Office for Democratic Institutions and Human Rights and the Venice Commission in organizing the constitutional referendum and the elections announced for 27 June and 10 October 2010, respectively	Italy	Accepted	4	Elections



83	Consider acceding to the Convention the Rights of Persons with Disabilities	Jordan	Accepted	3	Disabilities, International instruments
85	Fight corruption at all levels	Jordan	Accepted	4	Corruption
87	Provide and improve training programmes on human rights for the judiciary, law enforcement personnel and lawyers	Jordan	Accepted	5	Human rights education and training
88	Cooperate actively with the international community and international financial institutions in the implementation framework for development cooperation programmes, in order to fully implement the protection and promotion of human rights	Kazakhstan	Accepted	4	Development, Other
90	Improve and strengthen good governance, institutions and the rule of law for long-term stability	Kazakhstan	Accepted	4	Justice
91	Continue its efforts to combat terrorism financing and de-legitimize income generated through criminal means	Kuwait	Accepted	2	Public security, Counter-terrorism
94	Share experience and good practices with others	Laos	Accepted	1	General
95	Abide by all its international obligations and commitments and ensure an early return to constitutional order, the rule of law and respect for human rights	Latvia	Accepted	4	Justice
97	Do its utmost to guarantee the holding of open and transparent elections on the dates	Lebanon	Accepted	4	Elections
98	Ensure that gender issues are appropriately addressed in its future programmes	Lebanon	Accepted	4	Women's rights
99	Seek to incorporate human rights considerations in accordance with Kyrgyzstan's international obligations in any reform process it plans to carry out	Lebanon	Accepted	1	General
105	Modify relevant legislation - in particular, remove provisions of the Criminal Code on the prosecution of journalists for libel	Lithuania	General Response	5	Freedom of the press
106	Take steps to ensure the safety of journalists and to properly investigate attacks against them	Lithuania	Accepted	4	Freedom of the press
108	Consider establishing an independent national human rights institution in conformity with the Paris Principles	Malaysia	Accepted	3	NHRI
110	Strengthen cooperation with the international community and organizations including the United Nations in building capacity and technical cooperation in crucial areas such as poverty eradication, increase access to sanitation, education, combating drug abuse and illegal drug trafficking	Malaysia	Accepted	4	Technical assistance





111	Consider inviting international observers to the upcoming electoral processes, which will be held in the next months, to ensure that the new authorities are elected democratically and by legal means	Mexico	Accepted	3	Elections
113	In regard to freedom of movement, make more flexible the requirements for those people who change their place of residence within the country so that they have equitable access to social security, health care, education and pensions	Mexico	No Response	4	Freedom of movement
115	That all attacks on journalists are thoroughly investigated in a timely manner	Netherlands	Accepted	5	Freedom of the press
116	The Government of Kyrgyzstan reopen proceedings related to the events in Nookat and ensure that allegations of torture are investigated and that all evidence obtained through coercion is disregarded	Netherlands	Accepted	5	Justice, Torture and other CID treatment
117	Develop a well-functioning human rights infrastructure, including by establishing a national human rights institution, strengthening the mandate of the Ombudsman	Norway	Accepted	4	NHRI
118	Ensure a prompt and independent investigation regarding the loss of lives resulting from the violence in April this year, for the purpose of justice and confidence-building in Kyrgyzstan	Norway	Accepted	4	Justice
120	That anti-minority attacks be publicly condemned by authorities, and that such attacks are investigated in order to bring the perpetrators to justice	Norway	Accepted	4	Minorities
121	That inclusive and longer-term measures be taken with respect to linguistic policy, education and participation in decision-making for minorities	Norway	Accepted	4	Minorities
122	That official, individualized documents be presented to human rights defenders whose bans are lifted	Norway	Accepted	5	Human rights defenders
125	That the temporary Government draw upon the expertise of the Office for Democratic Institutions and Human Rights and the High Commissioner on National Minorities of the Organization for Security and Cooperation in Europe, and the Venice Commission of the Council of Europe with regard to the constitutional reform and rapid democratic elections	Norway	Accepted	4	Elections
127	Continue its institutional efforts to combat human trafficking	Pakistan	Accepted	2	Trafficking
129	Hold open and transparent elections	Pakistan	Accepted	5	Elections
130	Proposed constitutional reform should provide for the comprehensive protection and promotion of all human rights and fundamental freedoms	Pakistan	Accepted	4	General



131	Pursue development policies and programmes aimed at poverty alleviation and eradication	Pakistan	Accepted	2	Poverty
132	Strengthen its efforts to eradicate the illegal spread of narcotic drugs	Pakistan	Accepted	4	Public security
133	Continue the same level of methodology and transparency - we consider that the content of the report reflects the importance of the work to be carried out in spite of the challenges	Palestine	Accepted	2	General
135	Continue to implement its national plans, including for the reform of its human rights legislation, and further to improve the effectiveness of enforcing its national laws	Saudi Arabia	Accepted	2	National plan of action
136	Seize this opportunity to create a corruption-free environment	Singapore	Accepted	4	Corruption
139	Ratify the Rome Statute of the International Criminal Court, including accession to the Agreement on Privileges and Immunities	Slovakia	No Response	5	International instruments, Justice
140	Re-establish expeditiously constitutional order and the rule of law in the country, and ensure full accountability for all human rights violations following the events of 6 to 7 April 2010	Slovakia	Accepted	5	Justice
141	In light of the upcoming elections, implement key OSCE commitments for democratic elections	Slovenia	Accepted	4	Elections
142	Investigate all attacks on journalists and members of the opposition, and take appropriate measures to fight against impunity for such crimes	Slovenia	Accepted	4	Freedom of association and peaceful assembly, Freedom of the press, Impunity
147	Sign and ratify the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto - and the International Convention for the Protection of All Persons from Enforced Disappearance	Spain	Accepted	5	Disabilities, Enforced disappearances, International instruments
148	Sign and ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights	Spain	No Response	5	ESC rights - general, International instruments
149	Sign and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights	Spain	Accepted	5	Death penalty, International instruments
152	Continue to take all the measures necessary to prevent interference with press freedom and the work of human rights defenders	Switzerland	Accepted	2	Freedom of the press, Human rights defenders
153	Guarantee that its national mechanism respects all the provisions of the Optional Protocol to the Convention Against Torture, ensuring that it has all the necessary financial and human resources	Switzerland	Accepted	4	International instruments, Torture and other CID treatment



154	Sanction very severely cases involving domestic violence and forced marriages, and ensure that there is a proper legal framework for protecting women against violence	Switzerland	Accepted	5	Rights of the Child, Women's rights
156	Adopt a zero-tolerance policy towards corruption	Tajikistan	Accepted	4	Corruption
158	Hold open and transparent elections	Tajikistan	Accepted	5	Elections
160	Protect the rights of people with disabilities	Tajikistan	Accepted	4	Disabilities
161	Protect the rights of the victims of the recent mass riots	Tajikistan	Accepted	4	Justice
163	Pursue development policies and programmes aimed at poverty alleviation and eradication	Tajikistan	Accepted	2	Poverty
164	Adopt legislation on the National Preventative Mechanism in line with international standards and fully implement it	United Kingdom	Accepted	5	Other
165	Introduce measures to ensure and promote the freedom and security of reporters and human rights defenders, including revoking the criminal liability of journalists for libel and slander, and refrain from endorsing measures that limit the activity of independent civil society	United Kingdom	General Response	5	Civil society, Freedom of the press, Human rights defenders
166	Organize the forthcoming referendum and elections in line with international standards, including the opinions of the Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe and the Venice Commission of the Council of Europe	United Kingdom	Accepted	4	Elections
168	Harmonize its national legislation with what has been recommended by Committee on the Elimination of Racial Discrimination	Uruguay	Accepted	5	Racial discrimination, Treaty bodies
170	Investigate and punish cases involving the intimidation, harassment, persecution and torture of journalists, activists and human rights defenders, as well as participants in demonstrations	Uruguay	Accepted	4	Freedom of association and peaceful assembly, Freedom of the press, Human rights defenders
172	Ratify the International Convention on the Protection of All Persons from Enforced Disappearance	Uruguay	Accepted	5	Enforced disappearances, International instruments
173	Ratify the Rome Statute establishing the International Criminal Court	Uruguay	General Response	5	International instruments, Justice




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174	Request cooperation and technical assistance from the relevant UN bodies for the removal of land mines and the demarcation of border zones, as well as to improve the distribution of drinking water and the access to sanitation services	Uruguay	Accepted	1 International humanitarian law, Right to water
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A= Action Category (see on [our website](#))

SMR = State making recommendation

## Contact

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