

## **ADVANCE QUESTIONS TO KYRGYZSTAN**

### **BELGIUM**

- Is the Government of Kyrgyzstan considering issuing a standing invitation to the special procedures?
- Have concrete dates been set for those visits of the special rapporteurs to which the Government of Kyrgyzstan has agreed in principle?
- Does the Government of Kyrgyzstan intend to ratify the Convention for the Protection of All Persons from Enforced Disappearance?
- Does the Government of Kyrgyzstan intend to ratify the Rome Statute of the International Criminal Court?
- Is the Government of Kyrgyzstan considering to ratify the Convention relating to the Status of Stateless Persons?
- What is the state of play of the ratification process of the Convention on the Rights of Persons with Disabilities, which Kyrgyzstan has signed in 2011?
- Is the Government of Kyrgyzstan considering accepting the individual complaints procedure under all the human rights conventions to which it is already a State party?
- What follow-up has the Government of Kyrgyzstan given to the recommendation, accepted during the previous UPR, to 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?
- How has the Government of Kyrgyzstan, in line with a recommendation accepted during the previous UPR, respected in all circumstances the principle of non-refoulement, guaranteed that asylum seekers have an asylum procedure which is in line with international standards, and responded to the requests for information made by CERD regarding the treatment of asylum seekers?
- Does the Government of Kyrgyzstan intend to sustain work on ending violence against women and girls, including specific practices such as bride kidnapping and early and forced marriages?
- Does the Government of Kyrgyzstan intend to promote involvement of men and boys in support of reproductive health rights of women and girls, including in family planning as well as in activities aimed at decreasing early polygamous marriages and domestic violence?

- What follow-up has the Government of Kyrgyzstan given to the CRC recommendation to ensure that all children have access to free and compulsory education, to improve the quality of education, and to invest in and maintain school infrastructure?

## **CZECH REPUBLIC**

- What measures does Kyrgyzstan adopt to strengthen safeguards against torture including effective mechanism for investigation and criminal proceedings in cases of complaints involving torture of persons in detention or imprisonment in general, and with focus on persons of minority ethnic origin?
- How do the Kyrgyz authorities monitor and improve implementation of the legislation on violence against women, in particular with regard to domestic violence and bride kidnapping?
- What measures does the government of Kyrgyzstan adopt to combat discrimination on grounds of ethnicity, religion, gender or sexual orientation? Does it plan to adopt comprehensive anti-discrimination legislation?
- What measures does the Government adopt to strengthen independence of the judicial system and safeguards of fair trial?
- What measures has Kyrgyzstan adopted to ensure non-discriminatory access of applicants to its asylum procedure regardless of their origin and full compliance with the principle of non-refoulement?
- How does the Government ensure a full realization of the freedom of association and freedom of expression in particular against the backdrop of recent legislative initiatives in the Parliament, notably the so-called “foreign agents” law?

## **GERMANY**

- How does the Kyrgyz Government ensure that fundamental freedoms, as guaranteed in the Constitution, are safeguarded in newly drafted legislation (e.g. on LGBTI, Foreign Agents, National Preventive Mechanism etc.)?
- Which possibilities do citizens have to judicially appeal against the restriction of freedom of association and assembly?
- How does the Government intend to further capitalize on the positive experiences of the Community Security Initiative in order to benefit the work of the police and security forces?
- Which progress has been made with regard to a better representation of women and ethnic minorities in the security forces? Which concrete measures are planned in order to ensure a better representation of these groups in all public services?

- Which possibilities do persons accused of religious extremism have to obtain a legal verification of the charges held against them? Does the Government plan to amend the statutory offence in order to ensure that charges of religious extremism are not pronounced arbitrarily?

## **NORWAY**

- In addition to the establishment of a national preventive mechanism, what concrete steps have been taken to address allegations of widespread torture in the law-enforcement structures? In accordance with recommendations in its previous UPR (76.15, 76.20, 76.21, 76.23), the Kyrgyz Republic has adopted legislative measures to define and combat torture at the national level. How are these measures being implemented in practice?
- What effort is being made to ensure that the May 2014 legislation introducing criminal liability for the false reporting of crime and the spread of ‘false information’ is not used as a way of re-criminalizing libel?
- During the previous round of UPR, the Kyrgyz Republic accepted a recommendation to ‘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’. Is there any willingness to re-open the case against Azimjan Askarov, who was sentenced to life imprisonment in what independent observers have widely criticized as a flawed trial, as well as to investigate allegations of torture during his detention?
- In 2013 the Kyrgyz Republic developed and adopted a National Strategy of the Kyrgyz Republic on Attainment of Gender Equality by 2020. At the same time, NGOs report that domestic violence is on the rise. What concrete steps are being taken to ensure that policies of equality translate to increased opportunities and safety for women in the society?
- What efforts have been made to ensure access for ethnic and linguistic minorities to higher education and decision-making institutions?

## **SLOVENIA**

- We have noted reports on women being under-represented in politics and in decision-making positions in Kyrgyzstan. We have also noted that the legal framework for elections does entail a gender quota but it applies to the candidate lists rather than to actual distribution of seats. We would be interested to learn if any measures are envisioned to address the gender equality in politics, for example by applying gender distribution requirements also to the final candidate list and/or the requirement to replace any withdrawn candidate with a member of the same gender.

- In the national report we have noted that Kyrgyzstan is currently developing a strategy for development of the information sector for years 2015-2017 and that the strategy is taking into account also international experiences and the recommendations by OSCE with regard to freedom of expression. We would be interested to learn what international experience the government relied on when preparing the above mentioned strategy. When will the strategy be adopted?

## **SWEDEN**

- Inter-ethnic relations and inclusion  
Sweden would like to enquire about the practical activity with regards to these key priorities in the last six months, as well as about the progress on the establishment of a centre to coordinate the monitoring of inter-ethnic relations and the work on preventive measures.
- Safety of person of non-traditional sexual relations  
Sweden would like to ask the Kyrgyz Republic to clarify what the training of staff entails and which staff of which sectors or industries are intended for the training, as well as what other initiatives are currently underway and planned to ensure the safety and rights of Kyrgyz LGBT persons are upheld?

## **UNITED KINGDOM OF GREAT BRITAIN NORTHERN IRELAND**

- Will Kyrgyzstan commit to ensuring that the National Centre for the Prevention of Torture receives sufficient resources and access to operate effectively; and to support the implementation of an effective Anti-Torture Action Plan?
- What steps will the Government take to improve the protection of women's rights in Kyrgyzstan?
- What steps will Kyrgyzstan take to ensure that any measures to combat extremism do not infringe upon the right to freedom of religion or belief?
- Will Kyrgyzstan commit to ensuring the full and impartial investigation of complaints of many of those arrested in the aftermath of the June 2010 violence, including Azimzhan Askarov, Makhamad Bizurukov, Dilmurad Khaidarov, Shamshidin Niyazaliev, Rakhimjan Noomanov, Yuldashev Sharobidin, and Marufjan Maksudov, on allegations of torture and ill-treatment, serious breaches of fair trial standards during court proceedings, and attacks on defendants and lawyers?
- Will Kyrgyzstan commit to upholding constitutional rights and the provisions of the International Covenant on Civil and Political Rights (ICCPR) to: protection from discrimination and equality before the law; freedom of expression; freedom of

peaceful assembly; and freedom of association for all individuals, including for members of the LGBT community?

## **UNITED STATES OF AMERICA**

- Will the government ease the registration process for minority and non-traditional religious groups, including decreasing the number of required members?
- We have concerns about the failure to afford procedural protections during the trial of human rights activist Azimzhan Askarov, as well as in his subsequent appeals. Further, we continue to be concerned about Askarov's health in detention, and urge that he be examined regularly by independent medical experts to determine that he is receiving suitable medical care. Will the government reconsider Askarov's case or release him on humanitarian grounds?
- We are concerned about draft NGO legislation that, if passed, could limit the activities of all NGOs, including charitable and humanitarian organizations providing valuable social services. Freedom of expression and the right to peaceful assembly are protected by the Kyrgyz Republic's constitution as well as the International Covenant on Civil and Political Rights (ICCPR), to which the Kyrgyz Republic is a party. Are Parliament's legal advisors ensuring that this legislation does not conflict with fundamental democratic principles as defined in the Constitution and is not inconsistent with the ICCPR?
- What mechanisms are in place to guarantee that lesbian, gay, bisexual, and transgender individuals can enjoy their human rights and fundamental freedoms on an equal basis with all other citizens? How will the human rights of all Kyrgyzstanis, including LGBT persons, be protected should the draft law on banning the "formation of positive attitude to non-traditional sexual relations" come into force?
- How are the Kyrgyz authorities going to ensure that criminal acts of violence, harassment, and intimidation against LGBT persons are thoroughly investigated and appropriately punished?
- What is the government doing to help create an environment where civil society and labor advocates can operate freely and independently?
- Since the 2010 violence, there have been cases of police extortion and abuse of ethnic Uzbeks in southern Kyrgyzstan. What has the government done to investigate these allegations and bring to justice any police or law enforcement officials who engaged in such crimes?

- What steps has the government taken to increase efforts to thoroughly investigate and prosecute suspected human trafficking offenders and any others, including government officials, believed complicit in trafficking or engaged in abuse and exploitation of victims, and to appropriately punish all those found responsible while respecting fair trial guarantees?