

KYRGYZ REPUBLIC 2019 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

The Kyrgyz Republic has a parliamentary form of government designed to limit presidential power and enhance the role of parliament and the prime minister. During presidential elections in 2017, the nation elected former prime minister and member of the Social Democratic Party of Kyrgyzstan, Sooronbai Jeenbekov, to succeed outgoing President Almazbek Atambaev. The Organization for Security and Cooperation in Europe (OSCE) described the elections as competitive and well administered, but it noted room for improvement in the legal framework to prevent misuse of public resources in election campaigns and to deter vote buying more effectively.

The investigation of general and local crimes falls under the authority of the Ministry of Internal Affairs, while certain crimes such as terrorism and corruption fall under the authority of the State Committee on National Security (GKNB), which also controls the presidential security service. The Prosecutor General's Office (PGO) prosecutes both local and national crimes. Civilian authorities at times did not maintain effective control over the security forces.

Significant human rights issues included: law enforcement and security services' use of torture and arbitrary arrest; harsh and life-threatening prison conditions; political prisoners; significant problems with the independence of the judiciary; severe restrictions on free expression, the press, and the internet, including site blocking and criminal libel in practice; significant acts of corruption; trafficking in persons; crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, and intersex persons (LGBTI); and use of forced child labor.

While the government took steps to investigate and prosecute or punish officials known to have committed human rights abuses, especially those involved in corrupt activities, official impunity remained a problem.

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

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were no reports during the year that the government or its agents committed arbitrary or unlawful killings.

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

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

The law prohibits torture and other cruel, inhuman, or degrading treatment or punishment. Nevertheless, physical abuse, including inhuman and degrading treatment, reportedly continued in prisons. Police abuse reportedly remained a problem, notably in pretrial detention.

Defense attorneys, journalists, and human rights monitoring organizations, including Golos Svobody, Bir Duino, and the international nongovernmental organization (NGO) Human Rights Watch (HRW), reported incidents of torture by police and other law enforcement agencies. Authorities reportedly tortured individuals to elicit confessions during criminal investigations. During the first six months of the year, the PGO registered 171 allegations of torture by government officials, including law enforcement (127 cases), the State National Security Service (three cases), and other officials. As a result, prosecutors filed 11 criminal cases: four cases involving torture and seven cases of inhuman treatment. Prosecutors tried two criminal cases against officials, and police and prosecutors investigated two criminal cases. According to the PGO, they suspended seven criminal cases due to lack of physical evidence and a reluctance of accusers to submit to physical or psychological examination. NGOs stated that the government established strong torture-monitoring bodies but that influence from some parts of the government threatened the independence of these bodies.

The NGO Golos Svobody (The Voice of Freedom) played a central role in monitoring allegations of torture. Golos Svobody served as the main organizer of the Antitorture Coalition, a consortium of 18 NGOs that continued to work with the PGO to track complaints of torture. The Antitorture Coalition also accepted complaints of torture and passed them to the PGO to facilitate investigations. According to members of the Antitorture Coalition, the cases it submitted against alleged torturers did not lead to convictions.

In historical cases where prosecutors tried police on torture charges, prosecutors, judges, and defendants routinely raised procedural and substantive objections. These objections delayed the cases, often resulting in stale evidence, and ultimately

led to case dismissal. In July, however, media reported the Supreme Court upheld the lower courts' rulings on payment of the 200,000 soms (\$2,865) as compensation from the state to the family of Turdubek Akmatov, tortured to death by six militia during an interrogation in 2005. The courts took up this case following a 2015 UN Human Rights Committee ruling, which found that Akmatov died as a result of torture. The UN committee instructed the government to conduct a new impartial investigation to bring those responsible to justice and to provide an appropriate compensation to the victim's family.

During the year NGOs reported that courts regularly included into evidence confessions allegedly induced through torture. Defense lawyers stated that, once prosecutors took a case to trial, a conviction was almost certain. According to Golos Svobody, investigators often took two weeks or longer to review torture claims, at which point the physical evidence of torture was no longer visible. Defense attorneys presented most allegations of torture during trial proceedings, and the courts typically rejected them. In some cases detainees who filed torture complaints later recanted, reportedly due to intimidation by law enforcement officers.

Prison and Detention Center Conditions

Prison conditions were harsh and sometimes life threatening due to food and medicine shortages, substandard health care, lack of heat, and mistreatment.

Physical Conditions: Pretrial and temporary detention facilities were particularly overcrowded, and conditions and mistreatment generally were worse than in prisons. Authorities generally held juveniles separately from adults but grouped them in overcrowded temporary detention centers when other facilities were unavailable. Experts reported that inmates who had been convicted of crimes involving terrorism or extremism were not adequately separated from the general population. Convicted prisoners occasionally remained in pretrial detention centers while they appealed their cases.

NGOs reported that in some cases prison gangs controlled prison management and discipline, since prison officials lacked capacity and expertise in running a facility. In some instances the gangs controlled items that could be brought into the prison, such as food and clothing, while prison officials looked the other way. According to NGOs, authorities did not try to dismantle these groups because they were too powerful and believed that removing them could lead to chaos. Some prisoners indicated that prison officials left prison order and safety to the prison gangs or

prisoners themselves, resulting in instances of violence and intimidation among inmates.

Prisoners reported prison officials did not provide access to appropriate medical care in prisons, including medications, to prisoners. Human Rights organizations and press reported that prison authorities denied imprisoned human rights activist Azimjon Askarov access to medication for his chronic ailments after authorities transferred him in March to Prison Colony No. 19 to serve a life sentence.

Administration: Authorities did not conduct proper investigations of credible allegations of mistreatment. Prisoners have the right to file complaints with prison officials or with higher authorities. According to the NGO Bir Duino, prison staff inconsistently reported and documented complaints. Many observers believed the official number of prisoner complaints of mistreatment represented only a small fraction of the actual cases. Officials running pretrial detention facilities often denied persons held in pretrial detention access to visitors.

The government empowered the National Center to Prevent Torture (NCPT), an independent and impartial body, to monitor detention facilities. NGO representatives stated that NCPT officials made progress monitoring and documenting some violations in detention facilities. They stressed, as they had in previous years that the government needed to implement a standardized approach to identifying torture cases and provide additional resources and staff members to the NCPT to conduct its work.

Independent Monitoring: Most monitoring groups, including the International Committee of the Red Cross (ICRC), reported receiving unfettered access to prisons and pretrial detention facilities, except for detention centers the GKNB operates. Some NGOs, including Bir Duino and Spravedlivost, had the right to visit prisons independently as part of their provision of technical assistance, such as medical and psychological care.

The government granted individuals working in NCPT's seven regional offices the authority to make unannounced, unfettered visits to detention facilities.

d. Arbitrary Arrest or Detention

While the law prohibits arbitrary arrest, it continued to occur. Human rights organizations reported that authorities unfairly targeted and arrested ethnic Uzbeks for alleged involvement in banned religious organizations and for alleged

“religious extremism activity.” Attorneys reported that police frequently arrested individuals on false charges and then solicited bribes in exchange for release.

Arrest Procedures and Treatment of Detainees

According to the criminal procedure code, only courts have the authority to issue search and seizure warrants. While prosecutors have the burden of proof in persuading a judge that a defendant should be detained pending trial, activists reported detention without a warrant or in contravention of regulatory standards remained common. NGOs reported police targeted vulnerable defendants from whom they believed they could secure a bribe. Observers alleged incidents in which police targeted ethnic Uzbeks by planting religious literature and then charged them with possession of banned religious materials. Authorities could legally hold a detainee for 48 to 72 hours before filing charges. Experts on torture abuse reported police and security services often failed to report that they detained a person in order to prolong harsh interrogation and torture. The law requires investigators to notify a detainee’s family of the detention within 12 hours. The general legal restriction on the length of investigations is 60 days. The law, however, provides courts the discretion to hold a suspect in pretrial detention for as much as one year, depending on the severity of the charges, after which they are legally required to release the suspect. Once a case goes to trial, the law provides courts the authority to prolong detention until the case is closed without limitations on duration of custody. The judicial system operates a functioning bail system. The law allows courts to use other alternative measures instead of detention, such as restrictions on foreign travel and house arrest.

Persons arrested or charged with a crime have the right to defense counsel at public expense. By law the accused has the right to consult with defense counsel immediately upon arrest or detention, but in many cases the first meeting did not occur until the trial. As in past years, human rights groups noted incidents in which authorities denied attorneys access to arrested minors, often held the minors without parental notification, and questioned them without parents or attorneys present, despite laws forbidding these practices.

The law authorizes the use of house arrest for certain categories of suspects. Reports indicated law enforcement officers selectively enforced the law by incarcerating persons suspected of minor crimes while not pursuing those suspected of more serious offenses.

Arbitrary Arrest: As in previous years, NGOs and monitoring organizations, including Golos Svobody, Bir Duino, and Spravedlivost, recorded complaints of arbitrary arrest. Most observers asserted it was impossible to know the number of cases because the majority of these individuals did not report their experiences. According to NGOs in the southern part of the country, arrests and harassment of individuals allegedly involved in extremist religious groups--predominantly ethnic Uzbeks--continued.

Press reported arrests of individuals suspected of involvement in the banned extremist group Hizb ut-Tahrir; such arrests continued a trend that began to increase in 2014. According to Bir Duino, however, corruption within the law enforcement system motivated some arrests. Civil society alleged police entered homes falsely claiming to have a search warrant, planted banned Hizb ut-Tahrir material, and arrested the suspect in the hope of extracting a bribe to secure release.

Both local and international observers said the GKNB and law enforcement officers engaged in widespread arbitrary arrests, including some alleged to be politically motivated; detainee abuse; and extortion, particularly in the southern part of the country.

On March 27, police arrested and charged two protesters, Nurlan Karymshakov and Gulzana Imayeva, with inciting interethnic hatred when protesting outside of the Russian embassy with signs that called Russian President Vladimir Putin a killer and an occupier. Numerous human rights observers believed that police made these arrests to discourage further protests against President Putin during his visit on March 28. On August 1, the PGO dropped the case against the protesters after analysis found no evidence of language targeting specific ethnic groups.

Pretrial Detention: Civil society frequently reported lengthy pretrial detention periods for detained individuals. Political machinations, complex legal procedures, poor access to lawyers, and limited investigative capacity often lengthened defendants' time in pretrial detention beyond the 60-day limit, with some individuals being detained legally for as long as one year. There were seven pretrial detention facilities in the country, detaining approximately 2,500 persons.

e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary, but judges were subject to influence or corruption. Throughout the year the conduct and outcome

of trials appeared predetermined in multiple cases. Numerous sources, including NGOs, attorneys, government officials, and private citizens, asserted that some judges paid bribes to attain their positions. Many attorneys asserted that judges ubiquitously accept bribes. Authorities generally respected court orders.

Numerous NGOs described pervasive violations of the right to a fair trial, including coerced confessions, use of torture, denial of access to counsel, and convictions in the absence of sufficiently conclusive evidence or despite exculpatory evidence. International observers reported threats and acts of violence against defendants and defense attorneys within and outside the courtroom, as well as intimidation of trial judges by victims' relatives and friends.

Trial Procedures

While the law provides for defendants' rights, the customs and practices of the judicial system regularly contradicted the constitutional presumption of innocence, and pretrial investigations focused on the collection of sufficient evidence to prove guilt. The law requires investigators to inform defendants promptly and in detail of the charges against them and to provide interpreters as needed. Courts conducted trials in the state language, Kyrgyz, or the official language, Russian. In a majority of trials, courtroom procedure required defendants to sit in caged cells.

Defense attorneys complained that judges routinely returned cases to investigators if the prosecutors did not provide enough evidence to prove guilt, during which time suspects could remain in detention. According to attorneys, judges typically gave defendants at least a suspended sentence instead of finding them not guilty regardless of how little evidence existed to sustain a prison term.

Courts generally opened trials to the public, unless the case allegedly involved state secrets or privacy concerns of defendants. Courts often announced verdicts publicly, even in closed proceedings. State prosecutors submit criminal cases to courts, while judges direct criminal proceedings. Criminal cases feature a single judge, while three-judge panels conduct appellate cases. Judges have full authority to render verdicts and determine sentences. The government granted a limited number of judges the necessary security clearances to access documents deemed secret, further circumscribing defendants' access to impartial judicial review in cases purporting to relate to national security.

The law provides for unlimited visits between an attorney and a client during trial, but authorities occasionally did not grant permission for such visits. The

government provided indigent defendants with attorneys at public expense, and defendants could refuse legal counsel and defend themselves. HRW, domestic NGOs, and local attorneys reported some state-provided criminal defense lawyers were complicit with prosecutors and did not properly defend their clients. Many observers, particularly in the southern part of the country, described these lawyers as “pocket attorneys” who would help secure bribes from their client to pass to police and judges, which would then secure the client’s eventual release. International observers reported that defense attorneys in rural areas provided a lower quality of representation than defense attorneys in the capital. In many cases individuals accused of extremism-related crimes experienced difficulty trying to find an attorney who was not closely connected to police.

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

Political Prisoners and Detainees

Human rights and civil society NGOs claimed there were a small number of incarcerated political prisoners. Human rights observers noted several high-profile trials for corruption and related crimes appeared to be politically motivated, targeting political opposition and members of former President Atambaev’s administration. NGOs that monitor prison conditions did not report political prisoners were treated differently from other prisoners. The government permitted access to political prisoners by human rights NGOs and the International Committee of the Red Cross.

Azimjon Askarov, an ethnic Uzbek human rights activist, convicted of murder and inciting hatred along with seven codefendants in the 2010 killing of a Bazar Korgon police officer, remained imprisoned. In 2016 the UN Human Rights Committee issued findings that government authorities arbitrarily detained, held in inhuman conditions, tortured and mistreated, and prevented Askarov from adequately preparing his defense. In March the government transferred Askarov from a pretrial detention center to a prison colony, citing Askarov’s failure to appeal his conviction. On July 30, the Chui District Court reviewed Askarov’s

case upon the appeal of his lawyer to reconsider his life imprisonment within the framework of the new penal code that entered into force on January 1. The judge upheld Askarov's life imprisonment, stating that a case involving a life sentence is not subject to review. On December 5, the Supreme Court commuted certain articles of Askarov's sentence but upheld his life sentence. Under an appeal from his lawyer, Askarov's conviction for organizing mass riots was overturned, and his conviction for murder on the basis of ethnicity was reclassified to murder. Since murder convictions carry a life sentence, Askarov's incarceration status remained unchanged.

In 2017 the Pervomaisky District Court in Bishkek convicted Omurbek Tekebaev, the leader of opposition Ata Meken Party, on corruption charges. Human rights NGOs reported the court and prosecutors behaved in irregular ways during his arrest and trial that amount to legal violations of his rights. In 2018 the Adilet Legal Clinic filed a complaint with the UN Human Rights Committee detailing how authorities violated Tekebaev's rights. During an appeal of Tekebaev's conviction, the Supreme Court cancelled his previous sentences and issued an order on August 21 to the Pervomaisky District Court to reconsider his case. In response to that order, the district court on August 28 released Tekebaev from prison and placed him under house arrest for the duration of his retrial.

Civil Judicial Procedures and Remedies

The constitution and law provide for an independent and impartial judiciary in civil matters. As with criminal matters, observers believed the civil judicial system was subject to influence from the outside, including by the government. Local courts address civil, criminal, economic, administrative, and other cases. The Supreme Court is the highest judicial authority. The constitution provides citizens the right to apply to international human rights bodies seeking protection of violated rights and freedoms in accordance with international treaties. Nonetheless, the decisions of international bodies are nonbinding and therefore not subject to enforcement by the government.

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

According to the law, wiretaps, home searches, mail interception, and similar acts, including in cases relating to national security, are permitted only with the approval of the prosecutor and based on a court decision. Such actions are permitted exclusively to combat crime. There were no reports that the government

failed to respect these restrictions. Seven government agencies have legal authority to monitor citizens' telephone and internet communications.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

The constitution and law provide for freedom of expression, including for the press, and the government generally respected this right. NGO leaders and media rights advocates acknowledged a more relaxed press environment under the Jeenbekov administration, noting a clear drop in libel lawsuits against independent media outlets and the withdrawal of existing cases launched under the previous administration. Self-censorship continued to be prevalent, and pressure reportedly existed from editors and political figures to bias reporting.

Freedom of Expression: Multiple civil society groups noted an increase in the application of Article 299 of the criminal code on the "incitement of interethnic, racial, religious, and interregional hatred." Observers stated in some cases authorities broadly interpreted Article 299 to sanction speech, which tended to affect ethnic minorities and human rights defenders. According to NGOs, virtually all arrests under Article 299 resulted in convictions in 2018. Civil society organizations called the process to confirm violations of Article 299 arbitrary, politicized, and unprofessional. Article 314 of the penal code that came into force in January requires an intent to distribute extremist materials be proven in order to convict of a crime. Article 314 replaces the provisions found previously in Article 299.

Press and Media, Including Online Media: As in earlier years, some journalists reported intimidation related to coverage of sensitive topics, such as interethnic relations, "religious extremism," or the rise of nationalism. The trend was particularly salient against Uzbek-language media outlets.

In recent years the government, security services, and oligarchs attempted to prevent independent media from operating freely in the country. The government continued its tight controls over news content on state television.

On August 14, OSCE Representative on Freedom of the Media Harlem Desir expressed his concern over the closure of the television channel April TV in Bishkek and called for respect for diversity in media. On August 9, the security services sealed off channel April TV's headquarters in Bishkek as part of a security

operation, shutting it down. “I am concerned by the seizure of assets of the television channel April and the suspension of its operations,” the representative said. “While I am fully aware of the exceptional circumstances under which this decision was taken, I call on the relevant authorities to review this decision.” The representative also said the safety of journalists who cover political events must be respected by all actors, after media worker Aida Djumashova was injured during the raid on former president Atambaev’s home on August 7 and protesters attacked reporters with Vesti.kg, April and Kloop.kg in Bishkek on August 8. On November 21, April TV received permission to resume broadcasting, but on December 7, the Military Prosecutor’s Office filed a lawsuit to prevent April TV from broadcasting further. The Media Policy Institute appealed to the court, asking that the ban on broadcasting be reversed. The institute released a statement asserting the Military Prosecutor’s Office did not have the authority to ban April TV from broadcasting.

Violence and Harassment: Journalists, especially those who are ethnic Uzbeks, reported harassment by police, and continuing pressure by local and national authorities to avoid reporting on sensitive issues, including ethnic conflicts, corruption, and political figures. Media members also reported that nonstate actors, particularly politically well connected and wealthy individuals, harassed them for reporting on those individuals’ alleged corruption and other kinds of wrongdoing. Journalists sometimes practiced self-censorship to avoid reprisals for their reporting.

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

NGO leaders and media sources reported state-owned broadcasters remained under pressure to transmit stories promoting government policies and initiatives and develop narratives critical of NGOs, opposition figures, and civil society activists.

As the government transitions from an analog to a digital broadcasting system starting this year, individuals and news organizations can submit requests to the government to get a license for a television channel. The government controlled the licensing process, and civil society reported the government abused the licensing process by revoking licenses to individuals or organizations which broadcast content the government disagrees with. The government’s revocation of

a license to operate a television channel can financially decimate a news outlet and shutter their operations.

Libel/Slander Laws: While libel is not a criminal offense except in narrowly prescribed instances, NGO leaders described the False Accusations Amendments, passed in 2014 as a practical “recriminalizing of libel.” Journalists noted the law exposed media to libel suits in civil courts that could bankrupt the outlets or journalists in their defense attempts. In 2015 the Constitutional Chamber narrowed the reach of the law, holding that henceforth it would apply only in cases of knowingly making false statements in a police report but not to statements in media, although subsequent decisions appeared to contradict that ruling. While slander and libel are not criminal offenses, civil lawsuits can result in defendants paying compensation for moral harm, which the law does not limit in size. Observers stated courts arbitrarily ruled on the amount of compensation and that failure to pay compensation could serve as a basis for criminal prosecution.

In the first half of the year, press reported that, despite the improvements in press freedom, attacks on media continued through the use of libel laws. The Supreme Court upheld a decision in the suit of Social Democratic Party of Kyrgyzstan Member of Parliament (MP) Kozhobek Ryspaev against the newspaper *Achyk Sayasat*. The newspaper had to pay Ryspaev 300,000 soms (\$4,300) in compensation. The newspaper editor in chief Nazgul Mamytova said the newspaper was likely to close. MP Ryspaev sued the newspaper due to an article that was published in August 2018, which stated Ryspaev was moving from one political party to another, and the author called him a “chameleon.”

The Adilet Legal Clinic reported the organization defended journalists and media outlets charged with libel and slander and that members of media regularly feared the threat of lawsuits.

Internet Freedom

The government generally allowed access to the internet, including social media sites. There were no public credible reports the government monitored private online communications without appropriate legal authority. There were no reports during the year that the government blocked websites spreading “extremist” and terrorist materials without a court order. Media reported that, in August, courts blocked five social-media accounts and eight online-media channels, due to extremist content. In September, the Civic Initiative on Internet Policy reported on

359 internet resources that are subject for blockage by the government, including archive.org, soundcloud.com, and numerous links to Facebook and YouTube.

On November 24, the GKNB arrested Aftandil Jorobekov, a blogger and administrator of the popular Facebook page BespredelKG (LawlessnessKG), after he posted statements critical of President Jeenbekov and his relationship with former deputy state customs service head Raimbek Matraimov. The GKNB charged Jorobekov with inciting interregional discord under the criminal code. The charges against Jorobekov also cited posts written in response to his initial post by other users as evidence of his crime. According to the GKNB, “[Jorobekov’s posts] divided the users into opposing groups, provoked mutual insulting comments, which ultimately led to arousal in people of hatred towards each other in the form of inciting interregional hatred,” and it claimed that Jorobekov posted false and provocative information alleging the president was an accomplice in corruption. Jorobekov was released under house arrest on December 5. Numerous human rights organizations, including Human Rights Watch, criticized the arrest, calling it a blatant attempt to stifle criticism of the president.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom. Institutions providing advanced religious education must follow strict reporting policies, but they reported no restrictions on academic freedom.

b. Freedoms of Peaceful Assembly and Association

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

Freedom of Peaceful Assembly

The constitution provides for this right, although it took steps to limit peaceful assembly in Bishkek and Talas. Organizers and participants are responsible for notifying authorities of planned assemblies, but the constitution prohibits authorities from banning or restricting peaceful assemblies, even in the absence of prior notification. Local authorities, however, have the right to demand an end to a public action and, in the event of noncompliance, are empowered to take measures to end assemblies. In September the Pervomaisky District Court in Bishkek announced a ban on public assemblies in the center of Bishkek from September 17

to October 15. Press reported that in late September the GKNB investigated protesters in Talas under the criminal article forbidding the planning of violent activities against the state during preparations for peaceful protest on the environmental effects of mining.

Freedom of Association

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

The government continued to maintain bans on 21 “religiously oriented” groups it considered to be extremist, including al-Qa’ida, the Taliban, the East Turkestan Islamic Movement, the Kurdish People’s Congress, the Organization for the Liberation of Eastern Turkistan, Hizb ut-Tahrir, the Union of Islamic Jihad, the Islamic Movement of Uzbekistan, the Unification (Mun San Men) Church, Takfir Jihadist, Jaysh al-Mahdi, Jund al-Khilafah, Ansarullah At-Takfir Val Hidjra, Akromiya, ISIS, Djabhat An Nusra, Katibat al-Imam al-Buhari, Jannat Oshiqdari, Jamaat al-Tawhid wal-Jihad, and Yakyn Incar. Authorities also continued the ban on all materials or activities connected to A. A. Tihomirov, also known as Said Buryatsky.

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

c. Freedom of Religion

See the Department of State’s *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.

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

Citizenship: The law on combating terrorism and extremism revokes the citizenship of anyone convicted of terrorist and extremist activities. The government did not use the law during the year.

e. Internally Displaced Persons

Not applicable.

f. Protection of Refugees

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other organizations to provide some protection and assistance to refugees, asylum seekers, stateless persons, and other persons of concern. In April the State Migration Service reported there were 193 refugees in the country, including 87 from Afghanistan.

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

Employment: The government grants legal permission to work to individuals UNHCR has determined are refugees and to whom the government has granted official residency status in the country. Not all refugees qualify for residency status according to the government. Individuals who UNHCR has determined are refugees, but to whom the government has not conferred legal residency, are not legally permitted to work, access medical services, or receive identity documents. Therefore, they are susceptible to exploitation by employers paying substandard wages, not providing benefits, and not complying with labor regulations. They could not file grievances with authorities.

Access to Basic Services: The government deemed individuals whom UNHCR determined ineligible for refugee status, as well as asylum seekers who lacked official status, as ineligible to receive state-sponsored social benefits. Refugees with official status in the country have access to basic services.

g. Stateless Persons

In July, UNHCR confirmed the country did not have any stateless individuals documented within its borders. During the year the remaining 50 stateless persons living in the country received local passports and acquired similar rights to citizens. UNHCR reported the government had issued approximately 13,431 individuals local passports since 2014.

Section 3. Freedom to Participate in the Political Process

The constitution provides citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage. In practice authorities and party officials responsible for administering elections engaged in some procedural irregularities.

Elections and Political Participation

Recent Elections: In October 2017 voters elected former prime minister Sooronbai Jeenbekov as president, with approximately 55 percent of the total vote. The OSCE deemed the elections competitive with 11 candidates who were generally able to campaign freely. Misuse of administrative resources, pressure on voters, and vote buying remained a concern.

Political Parties and Political Participation: Members of parliament are selected through a national “party list” system.

Participation of Women and Minorities: No laws limit participation of women or members of minorities in the political process, and they did participate. The election code requires the names of male and female parliamentary candidates be intermixed on party lists and that no more than 70 percent of candidates on a party list can be of the same gender. After voting occurred, party leaders regularly reordered the lists, often to the disadvantage of women. A 2017 amendment to the law on elections requires that MPs who resign their mandate be replaced by

persons of the same gender. Women held fewer than 10 percent of parliamentary seats.

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

Section 4. Corruption and Lack of Transparency in Government

While the law provides criminal penalties for public officials convicted of corruption, the government did not implement the law effectively, and officials frequently engaged in corrupt practices with impunity. Civil society and media reported numerous incidents of government corruption during the year. According to Transparency International, the government appears to selectively investigate and prosecute corruption cases. The practice of officials in all levels of law enforcement accepting the payment of bribes to avoid investigation or prosecution is a major problem. Law enforcement officers, particularly in the southern part of the country, frequently employed arbitrary arrest, torture, and the threat of criminal prosecution as a means of extorting cash payments from citizens (see section 1.d.).

Corruption: The GKNB's anticorruption branch is the only government body formally empowered to investigate corruption. It is not an independent government entity; the branch's work is funded from the GKNB's operating budget. The branch limits its cooperation with civil society. The State Service to Combat Economic Crimes, also known as the Financial Police, investigates economic crimes, which sometimes includes corruption-related crimes.

On August 9, the government charged former president Atambaev with corruption for his alleged actions related to the modernization of the Bishkek Combined Heating and Power Plant and the ownership of property using a front person. Prior to his arrest, Atambaev refused to be interrogated by authorities about his role in a number of criminal cases. Atambaev's arrest followed a GKNB raid on his compound that resulted in the death of one member of the Special Forces and injuries to more than 170 people. The government accused Atambaev of using violence against representatives of the authorities, organizing mass unrest, hostage taking, and murder in the wake of the raid.

Atambaev's arrest followed the 2018 arrests of several high-profile political figures in connection to the Combined Heating and Power Plant, including two former prime ministers, the mayor of Bishkek, and the chief of the State Customs

Service. On December 6, the Sverdlov District Court of Bishkek sentenced the two former prime ministers Sapar Isakov and Jantoro Satybaldiev to 15 and 7.5 years in prison, respectively, for corruption and abuse of power related to the modernization of the Bishkek Combined Heating and Power Plant. The prosecution argued that Isakov and Satybaldiev knew the proposal to modernize the facility was contrary to the interests of the Kyrgyz Republic due to technical and technological shortcomings. Some Atambaev supporters alleged the two former prime ministers might have been prosecuted due to their connections with the former president.

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

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

Numerous domestic and international human rights organizations operated actively in the country, although government officials at times were uncooperative and unresponsive to their views.

Government actions at times appeared to impede the ability of NGOs to operate freely.

The United Nations or Other International Bodies: The government permitted visits by representatives of the United Nations and other organizations in connection with the investigation of abuses or monitoring of human rights problems in the country, including those of the OSCE, ICRC, Norwegian Helsinki Committee, and International Organization for Migration. The government provided international bodies largely unfettered access to civil society activists, detention facilities and detainees, and government officials.

Government Human Rights Bodies: The Office of the Ombudsman acts as an independent advocate for human rights on behalf of private citizens and NGOs and has the authority to recommend cases for court review. Observers noted the atmosphere of impunity surrounding the security forces and their ability to act independently against citizens, factors that limited the number and type of complaints submitted to the Ombudsman's Office.

Although the Ombudsman's Office exists in part to receive complaints of human rights abuses and pass the complaints to relevant agencies for investigation, both domestic and international observers questioned the office's efficiency and political independence.

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

Women

Rape and Domestic Violence: Rape, including spousal rape, is illegal. As in previous years, the government failed to enforce the law effectively, and many rape victims did not report their rape or sexual assault to police or NGOs. Penalties for conviction of sexual assault range from three to eight years' imprisonment. Prosecutors rarely brought rape cases to court. Police generally regarded spousal rape as an administrative rather than criminal offense.

While the law specifically prohibits domestic violence and spousal abuse, violence against women and girls remained a significant yet underreported problem. Penalties for domestic violence convictions range from fines to 15 years' imprisonment, the latter if abuse resulted in death. In May, HRW criticized the government for failing to prevent and punish violence against girls. In 2017 the Ministry of Internal Affairs reported that the number of registered cases of domestic violence was more than 7,000. In 2018 this figure increased by 14 percent to approximately 8,000 cases. According to the Women Democratic League, domestic abusers in 2018 killed 62 women and injured 288 women. HRW reported that, in the first three months of the year, police registered 2,701 cases of domestic violence, although data on injuries or deaths were not available. Among the domestic violence cases brought to court in 2018, prosecutors classified a significant number as administrative offenses or misdemeanors, which carry a lighter sentence. A January revision to the Code of Misdemeanors, however, does include a provision that criminalizes domestic violence.

Many women did not report crimes against them due to psychological pressure, economic dependence, cultural traditions, fear of stigma, and apathy among law enforcement officers. Civil society and media reported instances of spouses retaliating against women who reported abuse. The government provided offices to the Sezim Shelter (*Sezim* is the Kyrgyz word for crisis) in Bishkek for victims of domestic abuse and paid some of its expenses. International NGOs and organizations contributed funding to other shelters throughout the country. Despite

this funding, NGOs such as Human Rights Watch questioned the government's commitment to address the problem.

Other Harmful Traditional Practices: Although prohibited by law, the practice of kidnapping women and girls for forced marriage continued. In 2018 the United Nations estimated kidnappers forced 13.8 percent of girls younger than age 24 into marriage. Men married to kidnapped brides were more likely to abuse their wives and limit their pursuit of education and employment. The negative effect of the practice extended to children of kidnapped brides. Observers reported there was a greater frequency of early marriage, polygamy, and bride kidnapping in connection with unregistered religious marriages. This also affected data availability on such marriages. In 2018 the Ministry of Internal Affairs reported that over the five past years, 895 individuals complained to the law enforcement authorities regarding bride kidnapping. In 727 cases victims did not file criminal cases against the perpetrators. Police and prosecutors criminally investigated 168 cases.

Some victims of bride kidnapping went to the local police to obtain protective orders, but authorities often poorly enforced such orders. NGOs continued to report that prosecutors rarely pursue kidnappers for bride kidnapping. Provisions of the penal code that entered into force in April establish penalties for bride kidnapping of 10 years in prison and a fine of 210,000 soms (\$3,000).

In October local press reported on a video of the bride kidnapping of a 16-year-old girl in Talas. According to press, the girl in the video was forced to marry a 35-year-old man. After the release of the video on social media and in local media, the Talas police launched an investigation into the case.

Sexual Harassment: The law prohibits physical sexual assault but not verbal sexual harassment. Police did not actively enforce these laws. Media reported on widespread sexual harassment in the workplace and on public transportation.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization.

Discrimination: The law provides for the same legal status and rights for women and men, but enforcement of the law was poor, and discrimination against women persisted.

As in previous years, data from NGOs working on women's issues indicated women were less healthy, more abused, less able to work outside the home, and less able than men to determine independently the disposition of their earnings.

Children

Birth Registration: Although the law provides that every child born in the country has the right to receive a birth certificate, local registration, and citizenship, some children were stateless (see section 2.d.). Children of migrant parents who moved to and acquired citizenship of another country had to prove both of their parents were Kyrgyz citizens to acquire Kyrgyz citizenship.

Education: The law provides for compulsory and free education for the first nine years of schooling or until age 14 or 15. Secondary education is free and universal until age 17. The government did not provide free basic education to all students. The system of residence registration restricted access to social services, including education for children who were refugees, migrants, or noncitizens. Families of children in public school often paid burdensome and illegal administrative fees.

Child Abuse: No specific law covers child abuse in the country. The Children Code regulates the role of different state institutions in ensuring, providing, and protecting children's rights. According to NGO and UN reports, child abuse, including beatings, child labor, and commercial sexual exploitation of boys and girls continued to occur. According to the National Statistics Committee, more than 277,000 children are left without parental care due to labor migration from to Russia and other countries. The Child Protection League stated that violence against children left under guardianship of the migrants' relatives occurs in almost all cases.

Early and Forced Marriage: Children ages 16 and 17 may legally marry with the consent of local authorities, but the law prohibits civil marriages before age 16 under all circumstances. Although illegal, the practice of bride kidnapping continued (see section 6, Women). The kidnapping of underage brides remained underreported.

In 2018 UNICEF estimated that 12.7 percent of married women between the ages of 20 and 49 married before age 18. A 2016 law criminalizes religious marriages involving minors; however, prosecutors did not file any cases of criminal charges for religious marriages involving minors.

Sexual Exploitation of Children: The law prohibits the sale of children younger than age 18, child trafficking, child prostitution and child pornography, as well as other sexual crimes against children. The law criminalizes the sale of persons and forced prostitution. It provides penalties for conviction of up to 15 years in prison if the victim is a child. The law also makes it a crime to involve someone in prostitution by violence or the threat of violence, blackmail, destroying or damaging property, or fraud. The government made limited efforts to enforce the law.

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

According to UNICEF and local observers, children younger than age 18 in Bishkek were involved in prostitution. Although precise figures were not known, police stated that typical cases of children in prostitution involved young girls from rural areas who relocated to Bishkek for educational opportunities or to flee from an abusive family environment. Once in the capital, they entered the sex trade because of financial need. NGOs and international organizations reported law enforcement officials' complicity in human trafficking by accepting bribes to drop cases, warning suspected traffickers prior to raids, and allowing traffickers to avoid punishment by offering victims payment to drop cases. Police allegedly threatened, extorted, and raped child sex-trafficking victims. The government reportedly did not investigate allegations of government employees complicit in human trafficking offenses. Under the criminal code, it is illegal for persons ages 18 and older to have sexual relations with someone younger than age 16.

Displaced Children: As in previous years, there were numerous reports of child abandonment due to parents' lack of resources, and large numbers of children lived in institutions, foster care, or on the streets. Approximately 80 percent of street children were internal migrants. Street children had difficulty accessing educational and medical services. Police detained street children and sent them home if an address was known or to a rehabilitation center or orphanage.

Institutionalized Children: State orphanages and foster homes lacked resources and often were unable to provide proper care. This sometimes resulted in the transfer of older children to mental health-care facilities even when they did not exhibit mental health problems. In August 2018 the Office of the Ombudsman

called for the closure of the country's sole children's detention center, but as of September, the government had not closed the detention center. The ombudsman stated the center did not respect the right of juvenile detainees to education and medical services.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html>.

Anti-Semitism

The Jewish population in the country was approximately 460. There were no reports of anti-Semitic acts.

Trafficking in Persons

See the Department of State's 2019 *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities. The law mandates access to buildings for persons with disabilities, requires access to public transportation and parking, authorizes subsidies to make mass media available to persons with hearing or vision disabilities, and provides free plots of land for the construction of a home. The government generally did not ensure proper implementation of the law, and discrimination persisted. In addition persons with disabilities often had difficulty finding employment due to negative societal attitudes and high unemployment among the general population.

A lack of government resources made it difficult for persons with disabilities to receive adequate education. Although children with disabilities have the right to an education, the Association of Parents of Children with Disabilities stated schools often denied them entry. The government funded programs to provide school supplies and textbooks to children with mental or physical disabilities. The Association of Parents of Children with Disabilities reported efforts by the

Ministry of Education and Science to improve the situation by promoting inclusive education for persons with disabilities.

According to UNICEF, the government and families institutionalized one-third of children with disabilities. As in previous years, psychiatric hospitals provided substandard conditions to their patients, stemming largely from inadequate funding. The government did not adequately provide for basic needs, such as food, water, clothing, heating, and health care, and did not adequately address overcrowded conditions.

Authorities usually placed children with mental disabilities in psychiatric hospitals rather than integrating them with other children. The government and families also committed other residents involuntarily, including children without mental disabilities who the government determined are too old to remain in orphanages.

The PGO is responsible for protecting the rights of persons with mental disabilities. According to local NGO lawyers, members of the PGO had no training and little knowledge of the protection of these rights and did not effectively assist citizens with disabilities. Most judges lacked the experience and training to make determinations whether it was appropriate to mandate committing persons to psychiatric hospitals, and authorities institutionalized individuals against their will.

Observers noted authorities had not implemented a 2008 law requiring employers to fulfill special hiring quotas for persons with disabilities (approximately 5 percent of work positions).

National/Racial/Ethnic Minorities

Tensions between ethnic Uzbeks--who comprised nearly 15 percent of the population--and ethnic Kyrgyz remained problematic, particularly in Southern Osh Oblast where ethnic Uzbeks make up almost one-half the population.

Discrimination against ethnic Uzbeks in business and government, as well as harassment and reported arbitrary arrests, illustrated these tensions. Ethnic Uzbeks reported that large public works and road construction projects in predominantly ethnic Uzbek areas, often undertaken without public consultation, interfered with neighborhoods and destroyed homes. Additionally, according to HRW, a 2016 Supreme Court study found that a majority of suspects prosecuted for terrorism and extremism, including under Article 299, were ethnic Uzbeks from the south.

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

The country does not criminalize consensual same-sex sexual conduct between adults or speech that supports LGBTI issues. LGBTI persons whose sexual orientation or gender identity was publicly known risked physical and verbal abuse, possible loss of employment, and unwanted attention from police and other authorities. Inmates and officials often openly victimized incarcerated gay men. Forced marriages of lesbians and bisexual women to men also occurred. The Labrys Public Foundation noted the continued practice of “corrective rape” of lesbians to “cure” their homosexuality. LGBTI NGOs reported harassment and continuing surveillance of their workers by security services.

In 2014 HRW released a report based on interviews with 40 LGBTI persons chronicling instances of official extortion, beatings, and sexual assault. The report described in detail how police patrolling parks and bars frequented by gay men would threaten them with violence and arrest or threaten to reveal their homosexuality to their families if they did not pay bribes. These practices, according to representatives of the LGBTI community, continued during the year. NGO leaders in the southern part of the country reported an even greater threat. During the year members of the LGBTI community reported that authorities regularly monitored chatrooms and dating sites in an effort to punish and extort those who were seeking homosexual sex through online venues.

On March 8, LGBTI groups participated in a march through Bishkek celebrating International Women’s Day. In the aftermath of the march, LGBTI participants reported receiving death threats in social media. Additionally, one parliamentarian used social media to call on people to beat homosexuals, claiming that their sexual orientation was in conflict with Kyrgyz traditions. The two largest LGBTI NGOs shuttered their offices for multiple weeks after threats against their workers.

On May 1, two attacks against members of the 8/365 Feminist/LGBTI Movement were organized by members of Kyrk-Choro, a nationalist movement. According to 8/365 activists, the first attack happened during a picnic of the 8/365 members at a stadium in Bishkek. They reported 10 to 12 Kyrk-Choro members threatened the 8/365 workers with violence. The second attack happened after 8/365 members left the stadium for Popeda Park in Bishkek. Upon arriving at the park, Kyrk-Choro pelted the 8/365 activists with eggs. In both incidents police refused to intervene, despite complaints against Kyrk-Choro. The leader of Kyrk-Choro,

Zamirbek Kochorbaev, stated his group did not care about the law and was willing to use violence against LGBTI activists in the future.

HIV and AIDS Social Stigma

While the law protects against discrimination and stigmatization of persons with HIV/AIDS, according to UNAIDS, persons with HIV continued to encounter high levels of stigma and discrimination. According to 2015 Stigma Index data, HIV-positive persons felt fear or experienced verbal abuse, harassment, and threats, with some reporting incidents of physical abuse and assault. Civil society reported that social stigma of positive HIV/AIDS status led to loss of employment and a lack of access to housing for individuals with such a status or LGBTI persons. A recent study conducted by Kyrgyz Indigo, an LGBTI advocacy organization, found that more than 70 percent of gay and bisexual men did not know their HIV/AIDS status.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

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

Many unions reportedly operated as quasi-official institutions that took state interests into consideration rather than representing workers' interests exclusively. The Federation of Trade Unions (FTU) remained the only umbrella trade union in the country. The government did not require unions to belong to the FTU. Labor rights advocates reported the existence of several smaller unaffiliated unions.

Workers exercised their right to join and form unions, and unions exercised the right to organize and bargain collectively. Union leaders, however, generally cooperated with the government. International observers judged that unions represented the interests of their members poorly. In past years some unions

alleged unfair dismissals of union leaders and the formation of single-company unions.

b. Prohibition of Forced or Compulsory Labor

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

The 2018 List of Goods Produced by Child Labor or Forced Labor reported cases of forced labor, mostly involving children in the agricultural sector, specifically cotton and tobacco (see section 7.c.).

See also the Department of Labor's *List of Goods Produced by Child Labor or Forced Labor* at <https://www.dol.gov/agencies/ilab/reports/child-labor/list-of-goods> and the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

The law sets the minimum legal age for basic employment at 16, except for work performed without a signed employment contract or work considered to be “light,” such as selling newspapers, in which children as young as 14 may work with the permission of a parent or guardian. The law prohibits employment of persons younger than age 18 at night, underground, or in difficult or dangerous conditions, including in the metal, oil, and gas industries; mining and prospecting; the food industry; entertainment; and machine building. Children ages 14 or 15 may work up to five hours a day, not to exceed 24 hours a week; children ages 16 to 18 may work up to seven hours a day, not exceeding 36 hours a week. These laws also apply to children with disabilities. Violations of the law incur penalties, which are sufficient to deter violations. The government did not effectively enforce the law and a lack of prosecution of violations continued to pose challenges to deterrence. Almost all child labor was in agriculture based on the *2014-2015 National Child Labor Survey*.

Despite some advancement in efforts to eliminate the worst forms of child labor, it remained a problem. According to recent reports, children continued to be

engaged in agricultural work in cotton cultivation; tobacco production; growing rice, potatoes, sugar beets, and wheat; and raising cattle and sheep. Reports indicated children worked in the industrial and services sectors as well. With regard to the industrial sector, children engaged in coal mining; brick making; and construction, including lifting and portering construction materials and cutting metal sheets for roofs. In the services sector, children worked in bazaars, including by selling and transporting goods; washing cars; working in restaurants and cafes; begging and shoe shining as part of street work; and providing domestic work, including child care. Examples of categorical worst forms of child labor in the country included: forced labor in raising cattle and sheep, sometimes as the result of human trafficking; commercial sexual exploitation, sometimes as a result of human trafficking; and illicit activities, including trafficking drugs, as a result of human trafficking (see section 7.b.).

The PGO and the State Inspectorate on Ecological and Technical Safety (Inspectorate) are responsible for enforcing employers' compliance with the labor code. According to the Inspectorate, inspectors conducted infrequent and ineffective child labor inspections to ensure appropriate enforcement of the labor laws. Since many children worked for their families or were self-employed, the government found it difficult to determine whether work complied with the labor code.

See also the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings>.

d. Discrimination with Respect to Employment and Occupation

The law prohibits discrimination with respect to employment and occupation on the basis of sex, race, ethnicity, language, origin, property, official status, age, place of residence, religion, and political convictions, membership in public organizations, or other circumstances irrelevant to professional capacities. The government did not effectively enforce the law, and the nature of penalties was insufficient to deter violations. Ethnic Uzbeks in the south also complained that discriminatory practices in licensing and registering a business with local authorities made starting a small business difficult.

On average employers paid women substantially lower wages than they paid to men. Women made up the majority of pensioners, a group particularly vulnerable to deteriorating economic conditions. In rural areas traditional attitudes toward women limited them to the roles of wife and mother and curtailed educational

opportunities. Members of the LGBTI community reported discrimination in the workplace when they publicly disclosed their sexual orientation. Persons with HIV/AIDS-positive status faced discrimination regarding hiring and security of employment. Employers discriminated against persons with disabilities in hiring and limited their access to employment opportunities in the workplace.

e. Acceptable Conditions of Work

The law provides for a national minimum wage, which is less than the official government's 2015 poverty line. The law on minimum wage states it should rise gradually to meet the cost of living. The government did not effectively enforce laws related to the minimum wage. The Ministry of Social Development worked on increasing minimum wage to the minimum living wage, which is 5,292 soms (\$76) per month. Recent reforms to administrative and criminal codes eliminated employer liability for late payment of wages, allowance, and other social benefits. It also eliminated liability for violating labor protections and safety regulations.

The standard workweek is 40 hours, usually with a five-day week. For state-owned industries, there is a mandated 24-hour rest period in a seven-day workweek. According to the labor code, overtime work cannot exceed four hours per day or 20 hours per week. The labor code also states workers engaged in overtime work must receive compensatory leave or premium pay of between 150 and 200 percent of the hourly wage. Compliance with these requirements differed among employers. For example, large companies and organizations with strong labor unions often abided by these provisions. Employers of small or informal firms where employees had no union representation often did not enforce these legal provisions.

The National Statistics Committee defined informal economic activity as household units that produce goods and services primarily to provide jobs and income to their members. In 2017 the government estimated that only 28.8 percent of the population worked in the formal sector of the economy, while the rest worked in the informal economy.

Factory operators often employed workers in poor safety and health conditions. The law establishes occupational health and safety standards that were appropriate to main industries, but the government generally did not enforce them. Penalties for violation of the law range from community service to fines and did not sufficiently deter violations. The law does not provide workers the right to remove themselves from a hazardous workplace without jeopardizing their employment.

The State Inspectorate on Ecological and Technical Safety (Inspectorate) is responsible for protecting workers and carrying out inspections for all types of labor problems. The government does not effectively enforce the law because it is not conducting labor inspections following a moratorium on all state inspections that went into force on January 1, 2019, and is set to expire on December 21, 2020. Even prior to the moratorium, the Inspectorate limited labor inspectors' activities. The Inspectorate did not employ enough inspectors to enforce compliance. According to the International Labor Organization, the Inspectorate also lacked sufficient funding to carry out inspections. The law does not provide for occupational health and safety standards for workers in the informal economy.

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