

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.