

# Kyrgyzstan - Human Rights Scorecard <sup>1</sup>

Kyrgyzstan, officially the Kyrgyz Republic, is a landlocked country located in Central Asia that borders Kazakhstan, Uzbekistan, Tajikistan, and China.<sup>2</sup> The country received independence from the Soviet Union in 1991. Like many post-Soviet states, Kyrgyzstan continues to struggle with ethnic and political conflict as well as economic troubles. Mass anti-corruption protests in 2011 led to the resignation and exile of the President and the redrafting of the Kyrgyz Constitution, removing some of the president's powers and placing it in the hands of Parliament.

**Official languages:** Kyrgyz, Russian

**Ethnic groups:** 73% Kyrgyz; 14.6% Uzbek; 6% Russian; 6.4% Other

**Government:** Unitary Parliamentary Republic

- President: Sooronbay Jeenbekhov

- Prime Minister: Muhammetkaliy Abulgaziyev

**Death penalty:** Abolished

**Population:** 6 million

**Life expectancy:** 70.8 years

**Under-5 mortality:** 27 per 1000

**Adult literacy:** 99.2 percent



## Section 1: Overall Development

The overall development of a country – considering education, health, income, and other factors – is a strong indicator of whether average citizens have a reasonable chance to enjoy social and economic well-being and mobility.

### Human Development (UNDP Human Development Index (HDI)) <sup>3</sup>



#### 0.664 – Medium Human Development <sup>4</sup>

According to the UNDP, Kyrgyz people only had a gross national income per capita of \$3,097 and could expect to have on average 13 years of schooling. However, compared to other countries with comparable gross national income per capita, this is a very high HDI.

## Section 2: Respect for the Integrity of the Person

Respect for the integrity of the individual is the most fundamental of human rights groupings. It guarantees protection of the person to ensure the right to life, and freedom from torture. It also prevents arbitrary detention, and disappearances, and ensures the right to a free and fair trial when accused.

### Freedom from arbitrary or unlawful deprivation of life



#### Respected <sup>5</sup>

There were no reports in 2017 of unlawful or arbitrary killings by the government.

### Freedom from disappearance



#### Respected <sup>6</sup>

There are no reports of disappearances on behalf of the government in Kyrgyzstan.

### Freedom from torture and other cruel, inhuman or degrading treatment or punishment



#### Partially Respected <sup>7</sup>

There have been no reports of torture, but police abuse of prisoners and detainees remains a widespread problem.

### Freedom from arbitrary arrest or detention



#### Largely Disrespected <sup>8</sup>

While technically against the law, arbitrary arrests continue to happen, often on the basis of ethnic discrimination or lack of proper identification. Arrests based on false charges with demands for bribes to be released were common.

### Freedom from denial of fair public trial



#### Largely Disrespected<sup>9</sup>

While an independent judiciary is legally guaranteed, there are frequent instances of predetermined trials, bribery of judges, coerced confessions, denial of access to counsel, and convictions without adequate evidence.

### Freedom from arbitrary interference with privacy, family, home or correspondence



#### Respected<sup>10</sup>

The law protects citizens from government monitoring, wiretapping, and mail interception except in the circumstances of criminal investigation with a court order. Instances where these rights were violated were investigated and rectified.

## Section 3: Respect for Civil Liberties

*Civil liberties are a basic category of internationally recognized human rights. They include the freedoms of expression, assembly, association, education, and religion. These are inalienable rights which should not be breached by government, and should ensure the rights of all, including women and minority groups.*

### Freedom of speech and press (*Reporters Without Borders Press Freedom Index*)<sup>11</sup>



#### Score: 31, Rank: 98 / 179 – Partially controlled, limited, or intimidated<sup>12</sup>

While among the freest in Central Asia, Kyrgyz media is still heavily controlled by the government. Topics of ethnic strife are taboo, fines are imposed for insulting the president, and critical media outlets have been sanctioned and blocked.

### Freedom from academic censorship



#### Respected<sup>13</sup>

There were no government restrictions on academic freedom.

### Freedom of peaceful assembly and association



#### Partially Respected<sup>14</sup>

The law provides for the right to peaceful assembly and association, and while this was largely respected, the government did reserve the right to disband any protest or demonstration it wanted, even arresting peaceful protesters.

### Freedom of religion



#### Respected<sup>15</sup>

The law guarantees freedom of religious practice and expression. The government actively suppresses any incitement or violence based on hatred of religion.

### Freedom of movement



#### Respected<sup>16</sup>

Citizens are mostly able to move within and out of the country with ease. The government cooperates with the UNHCR to provide protection to refugees and asylum seekers.

### Protection of refugees and stateless persons



#### Partially Respected<sup>17</sup>

Hundreds of refugees are living in Kyrgyzstan, but some of these refugees - as well as stateless people without proper documentation - are denied basic access to medical services and employment.

### Overall protection of civil liberties (*FreedomHouse Civil Liberties Index*)<sup>18 19</sup>



#### 5 / 7 – Partly Free<sup>20</sup>

While many civil liberties are protected under Kyrgyz law, they are sometimes disrespected. There is a widespread culture of self-censorship in language and media, and criticism of the state or mentioning ethnic conflict is considered taboo.

## Section 4: Respect for Political Rights

Political rights ensure all members of society are able to influence the political process. The assessment of political rights includes an examination of the electoral process and the selection of representatives, the political empowerment of the general public, the tolerance of dissent, the accountability of government, etc.

### Overall protection of political rights (*FreedomHouse Political Rights Index*)<sup>21</sup>



**5 / 7 – Partly Free**<sup>22</sup>

Free and fair periodic elections take place in Kyrgyzstan, and in 2017 voters elected Sooronbai Jeenbekov - allowing for the peaceful transfer of power from president to president. There are some concerns about vote buying and the underrepresentation of ethnic minorities.

## Section 5: Corruption and Lack of Transparency in Government

The civil, political, economic and social rights exercised within a country are often modulated by the degree of transparency and freedom from corruption. Various international metrics assess transparency and corruption, including the OECD anti-bribery convention, the Bribe Payers Index, and the Open Budget Index.

### Transparency and freedom from corruption (*Transparency International Corruption Perceptions Index*)<sup>23</sup>



**Score: 29%, Rank: 135 / 180 – Highly Corrupt**<sup>24</sup>

Kyrgyzstan faces widespread corruption in both economic and state institutions, including cronyism and clientelism. In 2010, a popular uprising caused a governmental turnover, and there has been a crackdown on corruption since then, though it is still very prevalent.

## Section 6: Governmental Response to Criticism

This section deals specifically with the response heads of state have to civil society or international human rights reports.

### Governmental attitudes vis-à-vis independent investigations of alleged human rights violations



**Largely disrespected**<sup>25</sup>

While numerous human rights organizations are active in Kyrgyzstan, the government sometimes impedes their operations. The government rarely cooperates with the views and recommendations of human rights organizations.

## Section 7: Discrimination and Societal Abuses

Legal and social discriminatory practices related to sex, race, creed or sexual orientation, are violations of human rights. Countries with strong civil liberty traditions should have a fair legal system that ensures the rule of law, allows free economic activity, and ensures equality of opportunity for all.

### Endangered Minorities (*Peoples Under Threat – Minority Rights Group International*)<sup>26</sup>



**Listed – Uzbeks and Russians at risk**<sup>27</sup>

Ethnic clashes have taken place in Kyrgyzstan between ethnically Kyrgyz and Uzbek people. There is a threat of violence and ongoing discrimination against Uzbeks living mostly in the southern region of Kyrgyzstan.

### Rights of women (*World Economic Forum Gender Gap Index*)<sup>28</sup>



**Score: 69.7%, Rank: 67 / 142 – Very unequal rights**<sup>29</sup>

Women in Kyrgyzstan face high rates of domestic abuse, sexual harassment, and workplace discrimination. Though technically illegal, the traditional practice of kidnapping women and girls for forced marriage has persisted.

### Rights of Children (*KidsRights Index Overall Score*)<sup>30</sup>



**Score: 79.6%, Rank: 67 / 165 – Somewhat protected**<sup>31</sup>

Stateless and migrant children in Kyrgyzstan still do not have access to public services and education. The country is grappling with child abuse and child prostitution. State orphanages and foster homes often lack resources and proper care.

### Rights of persons with disabilities



**Largely Disrespected**<sup>32</sup>

Kyrgyz law protects persons with disabilities from discrimination and has laws that mandate accessibility, though these protections and laws are not always respected. Moreover, children with mental disabilities are often placed in psychiatric hospitals with poor conditions.

## Rights of national/racial/ethnic minorities (e.g. discrimination, Islamophobia, anti-Semitism etc.)



### Largely disrespected<sup>33</sup>

Discrimination against the Uzbek minority remains widespread, and Uzbeks are often subject to harassment and arbitrary arrest. The Kyrgyz Jewish community numbers in the hundreds and there are no reported incidents of anti-Semitism. Several Christian churches were vandalized, however.

## Freedom from abuse and discrimination based on sexual orientation or gender identity



### Largely disrespected<sup>34 35</sup>

Although same sex sexual activity is not officially criminalized in Kyrgyzstan, LGBTQI+ people are subject to physical and verbal abuse and harassment, employment discrimination, and forced marriage.

## Section 7: Workers' Rights

*Workers' rights are a group of legal rights relating to labour relations between workers and their employers. At their core are things like the ability to negotiate pay, benefits, terms of employment, and safe working conditions. These rights often devolve from the right to unionize and access to collective bargaining.*

## Rights to freedom of association and to collective bargaining



### Partially respected<sup>36</sup>

The right to form unions is respected, but union leaders often pander to government interests and may be dismissed when they refuse to do so.

## Freedom from forced or compulsory labour



### Respected<sup>37</sup>

The government protects citizens from all forms of forced or compulsory labour and provides services to help migrants and trafficking victims.

## Freedom from forced labour for children, and a minimum age of employment



### Partially respected<sup>38</sup>

The law strictly protects children from forced labour, and the vast majority of child labour practices have been eliminated. Some children in rural areas do continue to be engaged in agricultural work, however.

## Right to acceptable conditions of work



### Largely disrespected<sup>39</sup>

The minimum monthly wage is below the established poverty line in Kyrgyzstan. Safety and health conditions in factories are poor, with labour inspectors unable to ensure sufficient working conditions.

## Right to employment



### 7.9% - Reasonable unemployment<sup>40</sup>

The unemployment rate in Kyrgyzstan has been dropping since the 2010 uprising, and is expected to continue in that trend.

<sup>1</sup> A hybrid human rights and freedoms model, leveraging both legal principles and intuitive classifications, has been used for this human rights assessment. The CJPME Foundation has sought to integrate as many independent sources and metrics into its summary analysis as possible. In many cases, for qualitative material pertaining to the respect for a particular right in a country, the CJPME Foundation has drawn on material from Human Rights Watch and the US State Department country reports. Human Rights Watch (HRW) publishes a World Report which assesses the respect for human rights in each country. HRW uses a methodology of local reporting and interviewing, combined with research and analysis to assess the level of respect of human rights. The U.S State Department keeps an updated publication on the state of human rights internationally. Their system of research and accountability draws from the research of official US State Department officials, as well as local civil-society and international human rights organizations.

<sup>2</sup> Commonly-known information on the country is drawn from various Internet sources, including Google country pages, and Amnesty International. For death penalty see: "Death sentences and executions in 2013." Amnesty International. March 24, 2014. Accessed May 15, 2015. <https://www.amnesty.org/en/documents/act50/001/2014/en/>.

<sup>3</sup> The UN Development Program HDI was created to emphasize that people and their capabilities should be the ultimate criteria for assessing the development of a country, not economic growth alone. The HDI can also be used to question national policy choices, asking how two countries with the same level of GNI per capita can end up with different human development outcomes. These contrasts can stimulate debate about government policy priorities. The Human Development Index (HDI) is a summary measure of average achievement in key dimensions of human development: a long and healthy life, being knowledgeable and have a decent standard of living. Accessed Jan. 8, 2017 <http://hdr.undp.org/en/composite/HDI>

<sup>4</sup> "Table 1: Human Development Index and its components, Kyrgyzstan" UNDP, based on 2014 or the most recent year available. Accessed Jan. 8, 2017.

<http://hdr.undp.org/en/composite/HDI>.

<sup>5</sup> "Country Reports on Human Rights Practices for 2013 Kyrgyzstan." U.S Department of State. January 1, 2013. Accessed November 23, 2014.

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>6</sup> Ibid. U.S Department of State. For purposes of the present analysis, a "disappearance" is different than simple arbitrary detention because a "disappearance" is considered permanent.

<sup>7</sup> Ibid. U.S Department of State.

<sup>8</sup> Ibid. U.S Department of State.

<sup>9</sup> Ibid. U.S Department of State.

<sup>10</sup> Ibid. U.S Department of State.

<sup>11</sup> The Press Freedom Index published by Reporters Without Borders ranks the level of freedom of information in 180 countries. This is determined through the polling of local NGOs and freedom of expression civil society organizations across the globe. This index is also determined by local correspondents and follow-up work done on reports of infringement to press freedom where ever it takes place. Their methodology looks at six different indicators: 1) Media pluralism, 2) Media independence, 3) Media atmosphere and self-censorship, 4) the Law around media, 5) Media transparency, and 6) Media infrastructure. The score from these six indicators is combined with a rating for the violence against journalists in the country to create an overall score. The CJPME Foundation classifies the Press Freedom Index as follows: 0 – 14.99 (16 countries), Largely free, diverse and independent; 15 – 24.99 (37 countries), Mostly free, diverse and independent; 25 – 29.99 (31 countries), Partially free, diverse and independent; 30 – 39.99 (39 countries), Partially controlled, limited or intimidated; 40 & higher (57 countries), Highly controlled, limited or intimidated.

<sup>12</sup> "World Press Freedom Index." Reporters Without Borders: For Freedom of Information. January 1, 2014. Accessed November 23, 2014.

<http://rsf.org/index2014/en-index2014.php>.

<sup>13</sup> "Country Reports on Human Rights Practices for 2013 Kyrgyzstan." U.S Department of State. January 1, 2013. Accessed November 23, 2014.

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>14</sup> "Kyrgyzstan." World Report 2014: Kyrgyzstan. January 1, 2014. Accessed November 25, 2014. <http://www.hrw.org/world-report/2014/country-chapters/Kyrgyzstan>.

<sup>15</sup> "Kyrgyzstan." International Religious Freedom Report for 2013. January 1, 2013. Accessed November 25, 2014.

<http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>.

<sup>16</sup> "Kyrgyzstan." World Report 2014: Kyrgyzstan. January 1, 2014. Accessed November 25, 2014. <http://www.hrw.org/world-report/2014/country-chapters/Kyrgyzstan>.

<sup>17</sup> "Kyrgyzstan." World Report 2014: Kyrgyzstan. January 1, 2014. Accessed November 25, 2014. <http://www.hrw.org/world-report/2014/country-chapters/Kyrgyzstan>.

<sup>18</sup> Freedom House is an internationally recognized NGO based in the U.S which documents and rates the quality of democratic practice in a given country. Freedom House splits its grading system between the two areas of civil and political rights in a country. On each scale, the Freedom House rating is 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free).

<sup>19</sup> Freedom House's Civil Liberties index measures things such as a) freedom of expression and belief, b) associational and organizational rights, c) the rule of law, and d) personal autonomy and individual rights. Freedom House rates countries as 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free). Accessed Dec. 9, 2014

<https://www.freedomhouse.org/report/freedom-world-2014/methodology#.VldwWzHF98F>

<sup>20</sup> "Kyrgyzstan." Freedom in the World 2014: Kyrgyzstan. January 1, 2014. Accessed November 25, 2014. <https://freedomhouse.org/report/freedom-world/2014/Kyrgyzstan-0#.VIIHLzGG9e8>.

<sup>21</sup> See footnote about the Freedom House organization above. The Freedom House Political Rights assessment looks at a) the electoral process, b) political pluralism and participation, and c) the functioning of government. Accessed Dec. 9, 2014 <https://www.freedomhouse.org/report/freedom-world-2014/methodology#.VldwWzHF98F>

<sup>22</sup> "Kyrgyzstan." Freedom in the World 2014: Kyrgyzstan. January 1, 2014. Accessed November 25, 2014. <https://freedomhouse.org/report/freedom-world/2014/Kyrgyzstan-0#.VIIHLzGG9e8>.

<sup>23</sup> Transparency International (TI) publishes a "Corruption Perceptions Index" annually, which is based on independent research and polling. The main categories of corruption are broken down within the index to provide particulars on issues including things such as perceptions of corruption, control of corruption, and financial secrecy. A country receives a score on 100; the higher the score, the less corrupt the society. The CJPME foundation has classified them into categories as follows: 80-100 (11 countries): Very limited corruption; 60-79 (27 countries): Limited corruption; 40-59 (41 countries): Some corruption; 20-39 (80 countries): Highly corrupt; 0-19 (15 countries): Extremely corrupt

<sup>24</sup> "Kyrgyzstan." Corruption by Country. January 1, 2014. Accessed November 25, 2014. <http://www.transparency.org/country#BHR>.

<sup>25</sup> "Country Reports on Human Rights Practices for 2013 Kyrgyzstan." U.S Department of State. January 1, 2013. Accessed November 23, 2014.

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>26</sup> The Peoples under Threat assessment by Minority Rights Group International highlights countries most at risk of genocide and mass killing. The ranking is created by compiling data on the known antecedents to genocide or mass political killing. Accessed Jan. 8, 2017 <http://peoplesunderthreat.org/>.

<sup>27</sup> "Kyrgyzstan." Peoples under Threat, Minority Rights Group International. 2015, or most recent data. Accessed Jan. 8, 2017. <http://peoplesunderthreat.org/>.

<sup>28</sup> This metric is based on the World Economic Forum's Gender Gap Index. 0.00 denotes inequality between the sexes, and 1.00 denotes fully equality between the sexes. This index looks at four subdomains: economic participation and opportunity; educational attainment; health and survival; and political empowerment. Each country is given a percentage score; the higher the percentage, the better the protections. The CJPME Foundation classed the percentages as follows: 80-100% (5 countries): Almost equal rights; 70-79% (60 countries): Somewhat unequal rights; 0-69% (77 countries): Very unequal rights

<sup>29</sup> "Kyrgyzstan." World Economic Forum. January 1, 2014. Accessed November 25, 2014. <http://reports.weforum.org/global-gender-gap-report-2014/economies/#economy=BHR>.

<sup>30</sup> This metric is based on the KidsRights Index Overall Score. This index has five subdomains: life expectancy and maternal mortality; health; education; protection; and child rights environment. Each country is given a percentage score; the higher the percentage, the better the protections. KidsRights classes the countries according to these percentages, and the CJPME Foundation has given each class a term as follows: 70-100% (77 countries): Protected; 60-70% (29 countries): Somewhat protected; 45-50% (33 countries): Slightly vulnerable; 30-45% (12 countries): Highly vulnerable; Lower than 30% (11 countries): Extremely vulnerable

<sup>31</sup> "The KidsRights Index: Overall Ranking." The KidsRights Index. Accessed November 25, 2014. <http://www.kidsrightsindex.org/>

<sup>32</sup> "Country Reports on Human Rights Practices for 2013 Kyrgyzstan." U.S Department of State. January 1, 2013. Accessed November 23, 2014.

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

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<sup>33</sup> Ibid. U.S Department of State.

<sup>34</sup> "ILGA World Map." International Lesbian Gay and Intersex Association. January 1, 2014. Accessed November 25, 2014. <http://ilga.org/>. See also Ibid. U.S Department of State.

<sup>35</sup> ILGA, the International, Lesbian, Gay, Bisexual, Trans and Intersex Association, was founded in 1978 on the principle of highlighting state sponsored homophobia where it exists around the world. ILGA annually publishes a map with an accompanying report on sexual and gender based harassment, which focuses on both the legal and non-legal acts of state sponsored discrimination.

<sup>36</sup> "Country Reports on Human Rights Practices for 2013 Kyrgyzstan." U.S Department of State. January 1, 2013. Accessed November 23, 2014. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>37</sup> Ibid. U.S Department of State.

<sup>38</sup> Ibid. U.S Department of State.

<sup>39</sup> Ibid. U.S Department of State. See also a well-done Wikipedia comparison of wage, income and work week metrics across countries at [http://en.wikipedia.org/wiki/List\\_of\\_minimum\\_wages\\_by\\_country](http://en.wikipedia.org/wiki/List_of_minimum_wages_by_country)

<sup>40</sup> "Global Employment Trends." International Labour Organization. January 1, 2013. Accessed December 7, 2014. [http://www.ilo.org/global/research/global-reports/global-employment-trends/2014/WCMS\\_233936/lang--en/index.htm](http://www.ilo.org/global/research/global-reports/global-employment-trends/2014/WCMS_233936/lang--en/index.htm).