



## **Human Rights Movement: Bir Duino - Kyrgyzstan**

### **Human rights situation in Kyrgyzstan**

The “Human Rights Movement: Bir Duino – Kyrgyzstan” takes note that during 25 years of independence the civil rights guaranteed by the Constitution are being violated systematically. The government, being a guarantor of the Constitution, does not respond to the situation or perform its obligation to defend rights of its citizens. During the last three years the members of parliament and government of the Kyrgyz Republic initiated a number of legislative initiatives aiming at narrowing the political space for the civil society. Many of those initiatives were driven by rapprochement with Russia, joining the Customs Union and the Eurasian Economic Community (EAEC), which caused copying of the Russian legislation and political technologies aiming at suppression of the civil society and persecution of human rights defenders, journalists and opposition members.

Hostile attitude towards nongovernmental organizations has become quite common in recent years. According to a conclusion made by the School of Peace-building and Media Technologies, “in 4% of the cases during the reporting period LGBT representatives were the targets of hate” in the media field. 2.4% and 2.3% of the hostile messages were about the USA and local NGOs accordingly<sup>1</sup>.

Kyrgyzstan has ratified the most part of the UN Conventions and optional protocols regarding human rights, however it fails to fulfil its obligations. None of the 664 recommendations made by the UN treaty bodies regarding Kyrgyzstan has been implemented<sup>2</sup>, including those on protection of human rights defenders. Reduced funding and departure of donor organizations from Kyrgyzstan also influence civic organizations’ activities, especially in the country regions. The adopted EU strategy on Central Asia, tens of millions of euros provided by the EU to the KR government to finance the “priority areas”<sup>3</sup> create unequal conditions for nongovernmental organizations and government sector in the Kyrgyz Republic.

The referendum on amending the KR Constitution has become another challenge for the civil society. The amendments to the Constitution envisage cancellation of primacy of international legislation over the national one. Some of the norms introduced lead to partial strengthening of the executive branch of government, position of Prime Minister in particular, they also significantly reduce efficiency of the constitutional oversight by making this judicial body a foot soldier unable to make independent decisions on anti-constitutional nature of laws<sup>4</sup>. Therefore, the referendum and adoption of constitutional amendments have negative implications and cause departure from human rights principles and democratic values.

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<sup>1</sup> <http://ca-mediators.net/ru/issledovaniya/216-rezyume-issledovaniya-yazyk-vrazhdy-v-smi-internete-i-publicnom-diskurse-2015.html>

<sup>2</sup> <https://www.fidh.org/IMG/pdf/kyrgyzstanobsrusse2016web-2.pdf>

<sup>3</sup> <http://kyrtag.kg/economy/es-vydelyaet-kyrgyzstanu-vtoroy-transh-makrofinansovoy-pomoshchi-v-summe-30-mln-evro->

<sup>4</sup> <https://www.facebook.com/tamerlan.ibraimov.7/posts/10208394024682473>

## **Constitutional reform**

The constitutional amendments were adopted, for the eighth time, further to the referendum held on 11 December 2016, despite the memorandum adopted as a result of referendum in 2010 on prohibition to adopt constitutional amendments until 2020.

- Amendments to the Constitution envisage cancellation of primacy of international legislation over the national one. Some of the norms introduced lead to strengthening of the executive branch of government, position of Prime Minister in particular, they also significantly reduce efficiency of the constitutional oversight by making this judicial body a foot soldier unable to make independent decisions on anti-constitutional nature of laws<sup>5</sup>. Amendments are adopted that allow deprivation of citizenship and prohibition of same-sex marriages.

### **Chronology:**

#### **Presidential elections:**

1991 • 1995 • 2000 • 2005 • 2009 • 2011 • 2017 the seventh presidential election is planned to be held on 18 November 2017

#### **Parliamentary elections:**

1990 • 1995 • 2000 • 2005 • 2007 • 2010 • 2015 • 2020

#### **Referendums:**

1991 • 1994 (January) • 1994 (October) • 1996 • 1998 • 2003 • 2007 • 2010 • 2016, the constitutional reform implications are tragic for Kyrgyzstan.

Thus, the referendum and constitutional amendments adoption have negative implications and cause departure from human rights principles and democratic values (see PF Legal Clinic "Adilet": Legal Analysis of Suggested Amendments to the KR Constitution as Draft Law dd 23 September 2016)<sup>6</sup>.

## **Access to justice**

### **Access to justice for ethnic minorities**

According to the Human Rights Watch World Report 2017, the authorities of Kyrgyzstan have not delivered justice to victims of interethnic violence in the south of the country in June 2010 and have not taken any measures to have sentences reviewed for cases connected with the events and involving allegations of torture. During the June events, ethnic Uzbeks were the majority of victims of murder, arbitrary arrests, prohibited methods of treatment, torture and destruction of houses<sup>7</sup>.

Despite the fact that the events in Osh took place over six years ago, representatives of the ethnic minority in the southern part of the country stay unprotected and vulnerable to enforcement agencies and experience difficulties

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<sup>5</sup> <https://www.facebook.com/tamerlan.ibraimov.7/posts/10208394024682473>

<sup>6</sup> <http://www.adilet.kg/ru/news/full/197>

<sup>7</sup> <https://www.hrw.org/ru/world-report/country-chapters/298653>

in accessing justice. They are most often the victims of racketeering and corruption of law enforcement bodies and encounter risks to be charged of religious extremism.

### **Restrictions on access to justice for the human rights defender Azimjan Askarov**

On 24 January 2017 the judicial division for criminal and administrative violations cases of the Chui province court pronounced a sentence on the case of the well-known human rights defender Azimjan Askarov.

The court upheld the sentence given by the Bazar-Korgon district court of Jalal-Abad province with minor changes made.

Thus, the authorities of Kyrgyzstan have ignored the recommendation of the UN Human Rights Committee dd 31 March 2016 to immediately release Azimjan Askarov.

Starting from 4 October 2016, 14 court hearings have been held, over 20 witnesses have been heard of both the defense and the prosecution.

The defense filed the total of 16 petitions in the course of judicial proceedings. Some of the petitions requested to follow the decision of the UN Human Rights Committee to release the human rights defender. The petitions were not granted by the court.

The trial of A. Askarov has demonstrated non-compliance of the country with the human rights treaty obligations that have been ratified by it as well as ignoring the KR citizens' constitutional rights and freedoms.

### **Charges related to extremism**

The majority of religious extremism criminal cases that employees of Bir Duino participated in were related to the article 299-2 of the KR Criminal Code – for keeping the extremist materials. In almost all of those cases charges were made on the basis of Hizb-ut-Tahrir information materials that were allegedly found during searches.

The religious expert review was conducted by the State Committee on Religious Affairs which decided whether the examined materials were related to the extremist religious organization Hizb-ut-Tahrir.

However, according to article 13 of the Law of the Kyrgyz Republic No.150 as of 17 August 2005 on Combating Extremist Activities, information materials are considered to be extremist by the court of the area they were found and distributed in, or in the area where the organization producing the materials is located, based on an application of a prosecutor who demanded the materials to be considered extremist. A copy of the fully effective judicial decision on declaration of the information materials to be extremist is sent to an executive body in the field of Justice. The list of extremist materials should be regularly published in mass media as well as on official websites of authorized government agencies in the field of Justice, that perform combatting extremist activities.

There was no court decision in any of the criminal cases on finding the examined material extremist.

It should be noted that, according to article 4 of the Law on Combating Extremist Activities, in order to execute an examination to find out whether certain information materials and oral statements have extremist content, a coordination expert committee should be established with its status and composition approved by the government of the Kyrgyz Republic.

Such a coordination expert body has not been created so far.

The State Committee on Religious Affairs, that conducts expert review, is not a judicial expert organization. Qualifying requirements for conducting religious expert review have not been developed yet, as T. Bekbulatov, Director of National Centre of Judicial Examinations under the Ministry of Justice of the Kyrgyz Republic stated in his letter dd 22 July 2014.

All examinations conducted by the State Committee on Religious Affairs do not comply with requirements of the KR Law on Judicial Expert Activities, since the Committee does not specify the methods of examination used and scientific researches conducted, it also does not indicate the sources for checking accuracy of its statements.

### **Persecution of human rights defenders**

Human rights defenders Tolesan Ismailova and Aziza Abdirasulova filed a claim with the court for protection of honor and dignity against the President of the Kyrgyz Republic Almazbek Atambayev due to the fact, that on 14 May 2016 during the mothers of large families award ceremony held on the occasion of Mother's Day, while naming his enemies, including leaders of the People's Parliament as well as Director of HRM "Bir Duino - Kyrgyzstan" Tolesan Ismailova and Head of Kylym Shamy public fund Aziza Abdirasulova, Almazbek Atambayev stated that they were "faithfully working for the money of their foreign grants"<sup>8</sup>.

On 16 May 2016 a protest was held. On 7 September 2016 Bishkek City Court rejected the claim of the human rights defenders. The Presiding Judge Bermet Tolubaeva delivered a judgment on rejection of claims of Ismailova and Abdirasulova, having upheld the decision of Pervomaisky District court<sup>9</sup>.

The appeal filed by the human rights defenders is currently with the KR Supreme Court.

### **Persecution of Bir Duino – Kyrgyzstan<sup>10</sup>**

Human Rights Movement Bir Duino – Kyrgyzstan filed a claim for protection of honor, dignity and business reputation due to the press release issued by the State National Security Committee and distributed on 24 January 2017 stating that representatives of the organization tried to prevent arrest of a person suspected of extremism.

As stated by the State National Security Committee, during the search conducted at the place of arrested A. Sh. many DVDs were found containing calling for overthrow of constitutional order in Kyrgyzstan, as well as materials related to Bir Duino activities. The State National Security Committee stated that in the course of investigation, during arrest of A. Sh. representatives of the above mentioned nongovernmental organization gathered some local people to prevent the search of the place of residence and tried to cause a conflict situation.

In its claim against the State National Security Committee Bir Duino reports, that on 20 January a resident of Karasuu came to the Osh office of the human rights movement to apply to the lawyer Valerian Vakhitov for legal assistance, related to the fact, that his brother Shukhrat Abdazov was put in the pre-trial detention facility in Osh due to suspicion of distribution of extremist materials.

According to the brother of the detained man, during the search "12 DVDs, a laptop, religious books, some documents, such booklets as "Learn to Protect Your Rights" received in the Osh office of Bir Duino - Kyrgyzstan in 2013 and my passport". On 20 January he applied to the NGO for legal assistance.

According to explanatory notes written by relatives of the detained man, neighbors and the chairperson of residential district committee, nobody gathered local people to protect Abdazov, there were no human rights defenders there and no conflict situation occurred.

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<sup>8</sup><http://www.fergananews.com/news/24782>

<sup>9</sup><http://www.fergananews.com/news.php?id=25294>

<sup>10</sup><http://www.fergananews.com/news/26003>

As to the seized materials related to Bir Duino – Kyrgyzstan, those were awareness-raising booklets and brochures on rights and obligations of a citizen in case of being arrested by law enforcement officials. They were manufactured within the framework of the project aiming at raising public confidence in law enforcement, establishing dialogue and mutual understanding, get rid of corruption and conflicts in the process of arrest. Booklets and brochures were distributed during public meetings in the presence of police, State National Security Committee officials, prosecutors, representatives of local self-government.

Hearing of the suit is scheduled to be held on 4 April 2017 at Pervomaisky District court.

### **Persecution of opposition**

One of the leaders of Kyrgyzstan's opposition, deputy of Parliament Omurbek Tekebayev was detained upon arrival at Manas airport early in the morning on 26 February. Prior to that, a criminal case was brought against him under article "Fraud", the opposition states the events represent political pressure.

Omurbek Tekebayev was arrested at Manas airport and brought to the State National Security Committee (SNSC). The politician's lawyers waited for several hours to be allowed to see the detainee. Omurbek Tekebayev was detained for 48 hours. Later, he was arrested for two months as per the court decision.

During peaceful rallies provocations were arranged by the law enforcement officers. As a result, 5 people were illegally detained, including a journalist of BBC radio who was released afterwards. However, 4 people were placed at the reception centre, where conditions of detention are equal to torture, <https://www.fidh.org/en/region/europe-central-asia/kyrgyzstan/kyrgyzstan-excessive-use-of-force-by-police-during-arrests-of>,

### **Access to justice for victims of violence**

Access to justice was not provided to two sisters, Amangeldi kyzy Gulnara born in 1990 and Nurmambetova Dinara Amangeldievna born 1998, who are being accused of an attempted murder of businessman R. Alkanov. Funds were provided to pay for services of a lawyer.

The victims reported that they had family ties with Alkanov, since he was their grandfather but not direct blood relative. Once Alkanov visited them in their apartment and stayed for the night. That night he raped Dinara. Subsequently, for several years Dinara was a victim of violence and sexual entertainment for R. Alkanov. Then, he demanded her to bring in other schoolgirls to him. When she told everything to her sister Gulnara, she didn't believe her and decided to check everything herself. When Alkanov invited Dinara and her school friend to his place again, Gulnara decided to go with them. When she woke up at night and left her room, she saw two young girls walking around the house naked and Alkanov sitting at the sofa naked as well. She attacked him, he grabbed his walking-stick and started waving it, then she took a knife to protect herself and gave him over ten knife wounds.

According to the sentence of the KR Supreme Court dd 2 March 2016, Gulnara and Dinara are accused of an attempted murder of a well-known businessman, the richest man in Kyrgyzstan R. Alkanov with the purpose of taking a large amount of money. Gulnara was sentenced to 8 years in prison, Dinara – 5 years. Currently Гульнара получила срок наказания 8 лет, Динара 5 лет. They are currently both serving their prison sentences in the women's detention facility, since there is only one juvenile prison in the Republic and there are only boys there.

## **Restriction on the right to freedom of association**

Starting from 2012, there were several attempts made in Kyrgyzstan to restrict the right to freedom of association at the level of legislation, by initiating draft laws of discriminating nature, mostly in relation to NGOs.

### **Draft law “On Foreign Agents”**

- During the recent three years members of the Parliament and government of the Kyrgyz Republic initiated a number of legislative initiatives aiming at narrowing the political space for the civil society. Many of those initiatives were driven by rapprochement with Russia, integration processes of joining the Customs Union and the EAEC, which caused copying of the Russian legislation aiming at suppression of the civil society and persecution of human rights defenders.
- One of such initiatives is the draft law of KR on making amendments and additions to the law of KR “On Noncommercial Organizations” (“On Foreign Agents”). The draft law was registered in the Parliament on 26 May 2014. ***On 12 May 2016 65 members of Parliament voted against the draft law in the third reading and rejected it.***

**Despite rejection of the draft law, due to strengthening of authoritarian tendencies of governance, in conditions of approaching presidential elections, persecution of opposition members and independent journalists, restriction on the right to peaceful assembly, higher possibility of return to lobby the draft law on foreign agents in the near future.**

The results of interviews with leaders of NGOs that have been conducted by PF “Bir Duino - Kyrgyzstan”<sup>11</sup> have demonstrated the following:

- the number of cases increased recently of undue interference and pressure from the State and/or national-patriotic radical movements on human rights organizations and their employees, as well as representatives of LGBT community and organizations defending rights of LGBT;
- there is a public discourse (“hate speech”) about NGOs that have foreign funding, as well as associations defending rights of minorities (LGBT in particular) in mass media and society. Such a public discourse (so called “stigmatization” of human rights defenders, raising of xenophobic views, creation of negative image of NGOs) that has strengthened after initiation of the draft laws on NGOs as foreign agents and on “creation of positive attitude to non-traditional sexual relations” bears pressure on NGOs and creates barriers for creation of high level of public support to activities of NGOs;
- Organizations dealing with issues of civil rights and promotion of civil interests (advocacy), raising transparency and accountability of government institutions also experience to some extent the undue interference and/or pressure from the State;
- The situation is still quite common, when the state or local authorities do not cooperate with or create favorable conditions for the work of public organizations (every fourth case in the survey).

## **Restriction on the right to freedom of association of religious organizations**

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<sup>11</sup> Public Association “Bir Duino - Kyrgyzstan”. “The Right to Freedom of Associations: the Last Tendencies and Perspectives of Civil Society Development. Report on the Research Results”. Bishkek, 2016. Access: <http://birduino.kg/blog/2016/02/18/otchet-o-rezultatah-issledovaniya/>

- The right to freedom of association of religious organizations is significantly restricted by introducing difficulties for their registration. Despite the provision in the Constitution saying that “everyone has the right to freedom of conscience”, the right to freedom of religion or belief is considered in the national KR legislation as well as the law-enforcement practice not as individual but social right, as the right to create religious associations and execute religious activities.
- Introduction of mandatory registration for religious associations and, therefore, prohibition to a single person or a small group of people to fully use their right to freedom of conscience and religion. Such a registration does not have legitimate goals, is not necessary in a democratic society and is disproportionate to these goals. Establishment of high quality requirements for creation of religious associations, which is 200 people necessary to register a religious organization in KR, as well as geographic “links” of religious associations are not justified.

### **Restriction on the right to peaceful assembly**

The number of cases rises in Kyrgyzstan when peaceful meetings are restricted or stopped. Such cases are considered as unjustified interference, when meetings are restricted due to lack of preliminary notification or when they involve unlawful detention and obstruction of people’s participation in peaceful assembly.

Meanwhile, human rights defenders are concerned about the fact that during consideration of obstruction or prohibition of assembly courts do not check and evaluate legitimacy and sufficiency of justifications provided by law enforcement agencies and agencies of local self-government. Selectivity factor has been noted in application of restrictions towards certain groups raising political subjects or towards certain political issues raised during peaceful meetings.

There are facts of interference in and restriction of activities of associations and their meetings (assembly) by violent people, youth, some social and political movements. Such cases of interference were recently observed in relation to LGBT communities and their associations as well as religious associations, religious centre “Jehovah’s Witnesses” in particular.

#### **“March for Freedom of Speech” on 18 March 2017.**

In 2013 additions were made to Administrative Liability Code of KR and Criminal Code on administrative and criminal liability in cases of blocking roads.

Thus, this article was used to detain participants of the “March for Freedom of Speech”. The march for freedom of speech was organized after costly legal suits of the President and his party against online media “Azattyk”, “Zanoza” and 24.kg. In the course of the march police detained 8 participants of the meeting. Their closed court hearing started at 3 p.m. The court sentenced 4 of the participants to 5 days in prison. The detainees were placed in a reception centre with unbearable conditions equal to torture.

The scale of violations produced by law-enforcement agencies was noted during dispersing of protesters on 25 March 2017, when 68 people were officially detained and over 100 people according to unofficial figures. Many of the detainees were severely beaten and placed in a reception centre. As soon as monitoring was conducted by the Ombudsman of KR Kubat Otorbaev victims of torture were identified and conditions of detainment were pronounced equal to torture.

## **Freedom of speech**

Starting from the beginning of 2017, there have been attempts to suppress freedom of expression by tracking users criticizing the President in the internet, as well as attempts to prohibit online media to publish certain materials under different pretexts.

On 11 March 2017 a statement by the head of state was published at the official website of A. Atambaev with accusation of “a small group of allegedly independent journalists, mass media and politicians”, who “casting aspersions on people they dislike..., and first of all... the President”, try to “destabilize the situation before the presidential elections”. It is mentioned in the statement that starting from last summer the “campaign of lie, detraction and stigmatization has strengthened in certain mass media and social media”.

No facts, mass media, journalists and other solid evidences were mentioned. The statement was published several days after the General Prosecutor’s Office of KR filed several claims against internet portals “Zanoza” and “Azattyk”. The General Prosecutor’s Office accused them of coverage of Ata-Meken party’s lawyers press conference and publishing an article (translated) of Turkish mass medium Haberler with a comment by the leader of Ata-Meken O. Tekebayev, who has a court case opened against him on 26 February 2017.

Almost simultaneously, on 9 March Social Democratic Party (SDPK) filed a claim for protection of honor, dignity and business reputation against the 24.kg Information Agency for publishing an article “Regions Showed Their Strength to the Ruling Party” in which the activist R. Karasartova criticized the ruling party. On the threshold of election campaign political discussions and a sleaze war in local media are intensifying<sup>12</sup>.

What is the estimated amount of Atambayev’s reputation damage?<sup>13</sup>

- SDPK claims 2 million soms at the lawsuit with 24.kg and Rita Karasartova – 1 million for each defendant.
- At the lawsuit against Tekebayev’s lawyers and two media resources – 23 million soms: 10 million from the lawyers, 10 million from “Azattyk” and 3 million from Zanoza.kg.
- At the lawsuit against “Azattyk” and Zanoza.kg – 13 million soms. Also 10 million soms from “Azattyk” and 3 million – from Zanoza.kg.
- At the lawsuit against Zanoza.kg and Naryn Aiyp – 6 million soms, i.e. 3 million from each of the defendants.

On 14 March 2017 Lenin district court of Bishkek executed seizure of bank accounts of “Azattyk Media” and public fund “ProMedia” (Zanoza).

KR Ombudsman Kubat Otorbaev appealed to the senior government officials of the country to urgently withdraw their claims against independent mass media, <http://linkis.com/golos.kg/SgryO>

## **Hate speech**

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<sup>12</sup>[http://24.kg/obschestvo/47045\\_shkola\\_mirotvorchestva\\_svboda\\_vyirajeniya\\_mneniya\\_vkyirgyizstane\\_podvergaetsya\\_ugroze/](http://24.kg/obschestvo/47045_shkola_mirotvorchestva_svboda_vyirajeniya_mneniya_vkyirgyizstane_podvergaetsya_ugroze/)

<sup>13</sup> [http://zanoza.kg/doc/354419\\_iski\\_vlastey\\_protiv\\_smi\\_podrobno\\_i\\_poniatno\\_v\\_odnom\\_materiale.html](http://zanoza.kg/doc/354419_iski_vlastey_protiv_smi_podrobno_i_poniatno_v_odnom_materiale.html)



As per the results of media monitoring “Hate Speech in Mass Media, Internet and Public Discourse - 2015”<sup>14</sup>, that was conducted by the expert group of School of Peace Building and Media Technologies, three main tendencies were identified that influence the media space and audience of Kyrgyzstan.

- First of all, it is growth of phobias which was not observed during previous years. Ratings demonstrated that such types of phobias replicated by mass media and online resources as xenophobia (1), islamophobia (2) and homophobia (3) were expressed either in open or covert forms.
- Secondly, Russian propaganda influence stays strong. However, compared to the previous year, local journalists and internet users tried to give their audience alternative opinions, although insufficiently.
- Thirdly, the range of online aggression and discriminating speech in the internet has expanded. Trolling has become a professional skill, users deliberately involve in discussions on topical issues, using different kinds of hate speech up to direct slogans, which can have serious consequences, both for the society and their authors.

Users of social networks and journalists have been admitted to be active disseminators of hate speech. The recent trends demonstrate that reporters use hate speech, quoting in their materials interviews and comments of politicians, experts, scientists and artists with openly xenophobic implied sense.

### **Situation with rights of women and children involved in migration phenomenon**<sup>15</sup>

Starting from the mid-2000s the number of citizens of Kyrgyzstan involved in migration processes steadily grew. About 50 000 Kyrgyz people leave the country each year to work abroad: mainly in Russia and less in Kazakhstan.

From the moment of joining the Eurasian Economic Community (EAEC) in August 2015, the procedures for legal residence and work for migrants and their family members have been simplified, access to medical services and education has improved. However, since the majority of Kyrgyz migrants still do not have proper documents, and those who migrate legally often do not have any written labor agreement and, therefore, can't use those rights and stay very vulnerable. Laws, politics and practices of handling migration, both in Kyrgyzstan and major countries of migration, do not include an approach based on justice and do not incorporate gender and age aspects.

Almost 40% of Kyrgyz migrants in Russia are women, whereas Tajik and Uzbek women represent less than 20% of the total number of migrants from each country.

The risk of women and children rights violations is especially high, since they are more vulnerable: as women and children and as migrants as well. This vulnerability escalates for people “without documents”. About 60% of migrants from Kyrgyzstan do not have all the necessary documents required by the rules of receiving countries.

Women and children are subject to additional discrimination risks, such as psychological, physical and sexual violence or abusive treatment, labor or sexual exploitation. They can be victims of inadequate labor and living conditions, can be deprived of access to medical services (including services in the area of sexual and reproductive health services, abortion for women and girls) and access to justice.

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<sup>14</sup><http://www.ca-mediators.net/ru/233-obschestvennaya-diskussiya-yazyk-vrazhdy-i-diskriminaciya-v-media-trendy-vliyanie-vyzovy-protivodeystvie.html>

<sup>15</sup> FIDH, ADC Memorial, Bir Duino – Kyrgyzstan – Women and Children from Kyrgyzstan Involved in Migration. September 2016.

Children of migrants who don't have any documents are under risk of not getting access to education in receiving countries. Their rights can be violated by both law-enforcement officials and non-state actors, including the migrants' employers, Kyrgyz migrants or citizens of receiving country, especially Russia, where anti-migrant and xenophobic attitudes are strong.

There is certain concern on increasing level of violence towards Kyrgyz women migrants from Kyrgyz men, both their partners or simply countrymen. Domestic violence is quite common in Kyrgyzstan. Women migrants become even more vulnerable in receiving countries, since they are far away from their families and communities. Difficult living conditions can lead to increased violence. In the context of increased number of single women migrating from Kyrgyzstan, there were several acts of aggression towards Kyrgyz women dating men of other ethnic origin in Russia.

## Recommendations

- Stop promoting and passing anticonstitutional laws aiming at restriction of basic civil and political rights of people, including freedom of association and peaceful assembly;
- Speed up fulfillment of 664 UN recommendations in the sphere of human rights addressed to Kyrgyzstan, make them paramount for execution by all government agencies and institutions;
- The state and local authorities should create favorable conditions for NGOs in accordance with the principle 2 (responsibility of the state to respect, protect and facilitate usage of the right to freedom of associations) and other principles on freedom of association envisaged by the OSCE/ODIHR;
- Cancel mandatory registration of religious associations and make sure that the registration-related legislation guarantees the application of human right to freely profess any religion and religious beliefs, including those without formal organizations. Exclude different territorial statuses for religious and public associations as violating international guarantees of right to freedom of association;
- Abolish excessive control and unjustified interference with NGO activities, as well as intimidation and persecution of people and groups working with issues of human rights;
- Refrain from political initiatives and speech discrediting activities of NGOs and human rights defenders and stop treating NGOs (local or international) as a source of threat to stability and security. Instead, authorities should publicly recognize the importance of NGOs' efforts to promote human rights, criticize attacking NGOs and their members, support NGOs' involvement in the decision-making process at all levels, as well as cooperate with NGOs to improve the situation of human rights protection at the level of legislation and in practice;
- Pay attention to the "hate speech" openly used by KR mass media, TV and radio against NGOs, human rights organizations and human rights defenders.
- Make sure that the freedom of speech and peaceful assembly is provided for in Kyrgyzstan.
- Stop persecution of journalists and human rights defenders.
- Follow recommendations of the UN treaty bodies regarding protection of labor migrants rights.

- Ratify the ILO Convention of 1975 (No. 143) (additional provisions) regarding labor migrants; ILO Convention on private employment agencies, 1997 (No. 181) and ILO Convention on decent work of domestic workers, 2011 (No. 189).
  
- Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (2013).