



人权理事会

第五十三届会议

2023年6月19日至7月14日

议程项目3

促进和保护所有人权——公民权利、政治权利、
经济、社会及文化权利，包括发展权

对吉尔吉斯斯坦的访问

歧视妇女和女童问题工作组的报告* **

概要

歧视妇女和女童问题工作组于2022年4月4日至15日对吉尔吉斯斯坦进行了访问。在本报告中，工作组评估了妇女和女童的人权状况，指出了成就、挑战和取得进展的途径。评估是在该国当前促进性别平等和妇女参与家庭、经济、社会、政治和公共生活并增强其权能的法律、体制和政策框架背景下进行的，特别关注遭受交叉形式歧视的妇女。工作组还就如何在消除歧视和促进性别平等方面取得进一步进展提出了建议。

* 本报告概要以所有正式语文分发。报告正文附于概要之后，仅以提交语文和俄文分发。

** 因提交方无法控制的情况，经协议，本报告迟于标准发布日期发布。



Annex

Report of the Working Group on discrimination against women and girls on its visit to Kyrgyzstan

Contents

	<i>Page</i>
I. Introduction	3
A. Visit	3
B. Context.....	3
II. Legal, policy and institutional frameworks	4
A. Ratification of international instruments and cooperation with human rights mechanisms	4
B. Constitutional and legal framework	4
C. Institutional and policy framework	4
III. Public and political life	5
A. Political participation and representation in public institutions	5
B. Women and girl human rights defenders	6
IV. Economic and social life	6
A. Adequate standard of living.....	6
B. Women’s participation in the labour force, and economic security.....	7
C. Education	8
V. Health	9
A. Access to health care	9
B. Sexual and reproductive health.....	10
VI. Family and culture.....	11
VII. Disadvantaged and marginalized groups of women.....	12
VIII. Gender-based violence against women and girls	12
A. Domestic violence	13
B. Sexual violence.....	14
C. Trafficking in women and girls.....	14
D. Access to justice for victims/survivors	15
IX. Women deprived of liberty	15
X. Conclusions and recommendations	16
A. Conclusions	16
B. Recommendations.....	17

I. Introduction

A. Visit

1. The Working Group on discrimination against women and girls visited Kyrgyzstan from 4 to 15 April 2022 at the invitation of the Government. It expresses its appreciation to the authorities for their cooperation and fruitful exchanges before and during the visit.

2. The Working Group met with representatives of central and local authorities, women's and girls' rights organizations and women and girls in the Bishkek, Issyk Kul and Osh regions and in the city and municipalities of the Karakol region. In Bishkek, the experts met with representatives of the Ministry of Foreign Affairs, the Ministry of Labour, Social Assistance and Migration, the Ministry of Economy and Finance, the Ministry of Culture, the Ministry of Internal Affairs, the Ministry of Justice, the Ministry of Education and Science, the Ministry of Health, the National Statistical Committee and the General Prosecutor's office, and also with Supreme Court magistrates, representatives of the Council for the Rights of Women, Children and Gender Equality, and parliamentarians who were members of the Committee on International Affairs and the Committee on Social Policy. The experts also met with the Ombudsperson and representatives of the National Centre for the Prevention of Torture, civil society organizations working on women's and girls' rights, and academics and representatives of the United Nations. In Issyk Kul and Osh regions, the experts held meetings with mayors and council members, especially women representatives, as well as with women's organizations and women and girls from rural communities. In Bishkek city, the experts visited the public Gynaecological and Maternity Hospital No. 3, public school No. 87, the female prison in Stepnoe, and the only public shelter for women victims or survivors of domestic violence. In Issyk Kul and Osh regions, the experts visited privately run shelters for women and child victims and survivors of gender-based violence. The Working Group expresses its sincere appreciation to all its interlocutors, in particular survivors of gender-based violence, for their engagement and valuable inputs.

B. Context

3. Since it proclaimed its independence in 1991, Kyrgyzstan has taken major strides towards gender equality by introducing relevant laws and policies and establishing institutions. It takes pride in being a leader in its commitment to democracy and women's rights in the Central Asia region. In 2022, Kyrgyzstan ranked 86th of 146 countries on the Global Gender Gap Index¹ and in 2021 118th of 191 countries on the gender inequality index.² Significant gender gaps in political participation and economic well-being nonetheless remain, together with pervasive and deep-rooted patriarchal attitudes, stereotypes and practices with regard to gender roles that contribute to high levels of sex- and gender-based discrimination and violence. The coronavirus disease (COVID-19) pandemic not only resulted in a devastating public health crisis with consequences beyond the health sector, but also exacerbated structural gender inequalities and led to an increase in violence against women and girls.³

4. Rising religious fundamentalism poses a serious threat to the country's efforts to advance gender equality by reinforcing discriminatory norms and practices that hold women and girls back from full participation in economic, social and public life. The shrinking space for civil society organizations and repeated attempts to introduce legislation that would effectively restrict their activities are a major concern.

¹ www3.weforum.org/docs/WEF_GGGR_2022.pdf.

² <https://hdr.undp.org/en/content/gender-inequality-index-gii>.

³ See *The Impact of COVID-19 on Women's and Men's Lives and Livelihoods in Europe and Central Asia*, United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), 2020.

II. Legal, policy and institutional frameworks

A. Ratification of international instruments and cooperation with human rights mechanisms

5. Kyrgyzstan has ratified most international human rights instruments⁴ and a record of cooperating with human rights mechanisms, besides a strong commitment to implementing the 2030 Agenda for Sustainable Development. It has yet to ratify the International Labour Organization (ILO) Violence and Harassment Convention, 2019 (No. 190) and the ILO Domestic Workers Convention, 2011 (No. 189).

B. Constitutional and legal framework

6. The Constitution of 2021 states that “men and women have equal rights and freedoms and equal opportunities for their realization” (art. 24.3) and that “no one may be subjected to discrimination on the basis of sex” (art. 24.1). Although the Law on State Guarantees of Equal Rights and Equal Opportunities for Men and Women (No.184/2008) was introduced to implement these provisions, it lacks a definition of direct and indirect discrimination and a non-exhaustive list of protected characteristics.

7. In the past decade, the Government has adopted a series of bills concerning women’s rights, including on “State guarantees of equal rights and equal opportunities for men and women” (law No. 184/2008); on “protection, and protection from family violence” (law No. 63/2017); the decree on “the establishment of the National Council for Gender Development under the Government of the Kyrgyz Republic” (No. 268, 2021); and the decree on “the order of protection and protection from family violence” (No. 390/2019).

8. The Working Group commends the Government for adopting these laws and policies, and for establishing several bodies dealing with women’s and girls’ rights, while stressing the importance of tailored measures to address the specific needs of different subgroups of women. A limited understanding of equality as equal treatment, and the lack of an explicit focus on addressing women’s systemic disadvantage in society, as observed by the experts during their visit, undermine the potential of these laws to eliminate the structural root causes of gender inequality.

C. Institutional and policy framework

9. The Government’s commitment to gender equality is reflected in several initiatives and plans, including the National Strategy for Achieving Gender Equality to 2030 (currently being updated), the National Action Plan for 2022–24 and the National Development Strategy to 2040. Two councils have been established: the National Council on Gender Development, under the Government; and the Council on Women’s Rights, Children’s Rights and Gender Equality, under the Speaker of the *Jogorku Kenesh* (Supreme Council). In 2022, a parliamentary working group focusing on the Sustainable Development Goals was established. Three human rights bodies were also created: the Office of the Kyrgyz Ombudsperson; the national preventive mechanism against torture; and the Office of the Commissioner for Children’s Rights. These bodies play an important role in the promotion and protection of the human rights of women and girls.

10. Although the Working Group applauds these structural measures, it expresses its concern at the plans to dissolve the National Centre for the Prevention of Torture and to transfer its functions to the Office of the Ombudsperson. The National Centre for the Prevention of Torture plays a vital role in ensuring that women deprived of liberty can file a complaint against allegations of torture and ill-treatment and have their rights protected.⁵ The

⁴ With the exception of the Convention for the Protection of All Persons from Enforced Disappearance.

⁵ See Office of the United Nations High Commissioner for Human Rights (OHCHR), “Concern over steps to dissolve Kyrgyzstan’s national torture prevention centre”, press release, 24 June 2022.

Office of the Ombudsperson can be strengthened if brought into compliance with the internationally recognized standards of independence, plurality and accountability laid down in the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).

III. Public and political life

A. Political participation and representation in public institutions

11. While they are active in public and political life, women are significantly underrepresented in decision-making positions at the national and local levels. Although various initiatives have been implemented to increase women's representation and meaningful participation, they have not delivered the desired results.

12. In the political arena, Kyrgyzstan applies legally defined special measures that require political parties, when determining lists of candidates, to ensure representation of no more than 70 per cent of candidates of the same sex in the national Parliament. They must also ensure that every third person on a party's list is of a different sex. In 2020, a legislative change was made according to which, in the case of early termination of a member of parliament, the vacant position is transferred strictly to another person on the basis of sex; for example, if a female Member of Parliament withdraws, her seat is transferred to the next woman on the party list. While the Working Group welcomes this measure, it notes with concern that it only applies to the 54 elected seats secured through the preferential system and not to the 36 elected seats filled by a majority-based system followed in single-mandate constituencies. This may ultimately result in a lower number of seats overall for women in Parliament.

13. After the 2021 elections, only 19 of 90 parliamentarians (21 per cent) were women. These figures rank Kyrgyzstan 111th of 188 countries worldwide.⁶ The Central Asia average for women in national parliaments is 27.5 per cent for the lower chamber and for unicameral parliaments.⁷ At the time of the visit, only the Ministry of Natural Resources, Ecology and Technical Supervision was led by a woman. Although the Working Group welcomes the swearing in of another woman, as Minister of Health, in August 2022, women's representation is still only 10 per cent (2 out of 21) in the Cabinet.

14. While women's representation at the local level remains low, the application of the special measure to ensure representation of no more than 70 per cent of candidates of the same sex has resulted in the number of women parliamentarians at the local level increasing fourfold, from 9 per cent in 2012 to 37.8 per cent in 2021.

15. According to information received from UN-Women, representation of women in the national public service has been stable since 2010, at around 40 per cent. There are notable differences between region and sectors. In general, women's representation in senior positions is low.

16. Women's representation in the judiciary is notably higher than in the executive branch. Women account for 35 per cent (163) of the country's 465 judges. In the Supreme Court, as at 1 January 2020, 38 per cent of women held political and special posts, while almost half of women employed in the sector (46.5 per cent) held administrative posts. Only one of the 11 judges in the Constitutional Chamber is a woman. In municipal courts, only 22 per cent of judges are women.

17. Further measures are needed to ensure the equal participation and representation of women in all spheres of public and political life, in particular to increase the representation of women who face significant challenges in occupying elected or appointed positions, such as women from minority groups, women with disabilities, LGBTI women, and women living in rural areas. The Working Group has found that the most significant increase in the number

⁶ Inter-Parliamentary Union (IPU), Monthly ranking of women in national parliaments, January 2022.

⁷ See IPU, Global and regional averages of women in national parliaments.

of women in national parliaments over the years has been in countries where special measures, such as gender quotas, have been effectively implemented.⁸

18. The conceptual understanding of gender equality and the obligation to ensure substantive equality should be strengthened. According to article 7 of the Convention on the Elimination of All Forms of Discrimination against Women, the State has an obligation to remove all barriers to women's equal participation in its institutions and to take affirmative measures to increase their political representation at all levels and in branches of government. Considering the structural constraints that women face in the country to equal participation, training and assistance for campaigning are needed to help raise the profile of women candidates and their visibility, and to facilitate their outreach capacity. A comprehensive strategy and plan of action for gender equality and the empowerment of women that includes a full range of temporary special measures is essential to make simple quotas for political participation a success.

B. Women and girl human rights defenders

19. Women's rights organizations in Kyrgyzstan play a key role in advancing efforts to end discrimination against women and girls. Their activities include awareness-raising, education and training on gender equality and gender-based violence, and providing shelter, support, rehabilitation and reintegration services for victims/survivors of gender-based violence, migrant and refugee women, women with disabilities and LGBTI persons. These organizations welcome the opportunity to work collaboratively with and be supported by the Government.

20. During its visit, the Working Group noted an increasingly hostile environment towards civil society organizations, activists and human rights defenders. Many of those promoting gender equality and working on human rights issues are underresourced, exhausted and fear victimization and/or reprisals.

21. The Working Group is deeply concerned about the shrinking civic space and the increasing hostility towards human rights activists and independent media, particularly female journalists, a situation that has reportedly worsened since its visit.⁹ Independent and vibrant women's and girls' rights organizations and networks play a central role in ensuring a healthy democracy and the realization of human rights. In the interests of equitable development, justice and shared prosperity, civil society, activists, human rights defenders and independent media should be included in policymaking decisions, granted adequate resources, and be able to operate in a safe, non-restrictive and enabling environment without fear of reprisals. National and local authorities should publicly recognize the important and legitimate work of women's and girls' organizations and female journalists in advancing human rights and fundamental freedoms.

IV. Economic and social life

A. Adequate standard of living

22. Ensuring an adequate standard of living is a challenge in poverty affected rural areas in Kyrgyzstan, where access to social and other services is rare. This has a severe impact on women and girls in vulnerable situations, in particular minority women, migrant women and women with disabilities, who generally have limited access to opportunities for development and to economic resources, leading to further marginalization and social isolation.

⁸ See A/HRC/23/50.

⁹ OHCHR, "Comment by UN Human Rights Office spokesperson Liz Throssell on people arrested and detained in Kyrgyzstan", press release, 26 October 2022. Several special procedures mandate holders, including the Working Group, sent an urgent appeal on 23 December 2022 to the Government (UA KGZ (4.2022)). The letter and the Government's reply are available from <https://spcommreports.ohchr.org/Tmsearch/TMDocuments>.

23. In some areas, internal migrants have lived for years in settlements that lack basic infrastructure, without access to clean water, toilet, sewage or electricity. The dire poverty in some rural areas, poor income of local governments and the lack of financial investment by the Government in childcare and social services constitutes a barrier to ensuring an adequate standard of living to all, with a disproportionate impact on women and girls who bear the burden of care responsibilities and unpaid domestic work. The Working Group is concerned that the threshold established to qualify for social services does not correlate with the actual level of income, especially in rural areas.

B. Women's participation in the labour force, and economic security

24. Despite the fact that women account for around half the working-age population, only 46 per cent of women – against 76 per cent of men – actually participate in the labour force. This difference is more pronounced when comparing rural and urban residents: in urban areas, the participation rate of women in the labour force is 50 per cent, while in rural areas it is only 43 per cent. Internal migration due to the lack of paid work opportunities in rural areas is having a disproportionate impact on women's and children's enjoyment of their economic rights and security, as they are more likely to be subjected to exploitation and violence. According to information provided by UN-Women, almost 60 per cent of migrants are women. Women account for only 35 per cent of individual entrepreneurs, despite strong interest in many to lead their own businesses.

25. Women account for 70 per cent of the economically inactive population. The unemployment for women (13.6 per cent) is significantly higher than for men (8.3 per cent), except in the Issyk-Kul region. The largest gender gap in the employment rate is in the 20–29 year age range, when many women give birth and therefore have to leave paid work.

26. The Working Group notes that women have lower employment rates and a lower wage and pension share over their lifecycle; consequently, they depend more on social assistance and have less savings. Women are at greater risk of poverty, and are particularly vulnerable in an economic crisis. While the Working Group welcomes the considerable efforts made to reduce poverty prior to the COVID-19 pandemic, it notes the implications of the rising cost of living and inflation, particularly for women whose family members rely on remittances and for those living in rural areas, including its multigenerational impact, as seen among older women.

27. Gender pay gaps persist in all sectors of the economy.¹⁰ On average, women's pay is significantly lower than men's. As noted by one interlocutor, "My husband said that it's not worthwhile my working for such a low salary." Women are more likely to be in contractual employment, while the share of self-employed women and women employers/business owners is lower when compared to men. Women are significantly underrepresented in senior positions: only 27.4 per cent hold management positions in business.

28. Article 9 of the Labour Code prohibits discrimination on, inter alia, the grounds of sex. In practice, however, women face many barriers in their access to decent jobs and frequently suffer discrimination and harassment in the workplace, stemming, inter alia, from the unequal division of family responsibilities and the disproportionate burden of unpaid care work. The Working Group notes the review of the list of 400 professions prohibited to women in the decree on the Labour Code, and calls upon the Government to remove discriminatory provisions in the national law. The list excludes women from paid work opportunities on an equal footing with men; like other prohibitions, it is based on stereotypes that reinforce gender roles. Stereotypes about women's and men's role in paid work and family life must be addressed. The Working Group takes note of the civil society organizations that have excellent educational programmes to shift widely held attitudes away from harmful gender stereotypes, which should be supported and scaled up.

29. The Labour Code should be modernized to take into account employees' need with regard to both work and care. The Working Group noted the absence of protection of women working in the private sector. There should be provisions for maternity leave payment as

¹⁰ See <https://data.unwomen.org/country/kyrgyzstan>.

replacement income (rather than as a one-off payment) and a guarantee of return to work in both the public and private sectors.

30. During the visit, the Working Group was unable to identify any mandatory or voluntary special measures designed to increase women's participation in the labour force or any gender audit requirements to identify barriers. These are essential to ensure women's equal participation in the paid labour market and the recognition of their contributions to the development of the community, society and the economy.

31. Greater economic participation of women can enhance a country's economic prosperity and their own economic independence within the family. Economic security can provide women with a sense of agency, making them less likely to be forced to tolerate discriminatory practices, such as domestic violence.

32. The majority of women living in rural areas and those belonging to minorities work in the informal sector and are excluded from legal protections, which puts them in a precarious situation. The formalization of women's informal work is a necessary step to ensure equal legal and social protection for women workers. The Working Group welcomes the strong push for women through the targeted State programme that was approved in November 2021.

33. The Working Group is concerned that the unequal distribution of unpaid care and domestic work between women and men – largely due to deeply entrenched stereotypes relating to a woman's role in the family and society – is a significant barrier to women's equal economic participation. According to survey data, 84 per cent of men and 82 per cent of women believe that, in the family, the woman should take care of the home and children, and the man should be the breadwinner.¹¹ Women spend 3.6 times more time than men on unpaid domestic work and two times more on childcare. Many older women carry a significant burden of care responsibilities owing to the absence of family members. Investments in care services and specific measures to alleviate the burden of care responsibilities on older women while normalizing the fulfilment of care responsibilities by men should be a priority for the Government.

34. The Working Group identified promising practices implemented by the Government to develop childcare facilities for working women with small children. Further measures, including awareness-raising activities to ensure a more balanced sharing of work and family responsibilities between women and men and encourage more fathers to use existing parental requirements, are needed. Support for women-headed households, in addition to child-rearing allowances, is necessary.

C. Education

35. The Working Group was encouraged by the high level of literacy of both women and men in the country, which constitutes a solid foundation for current and future economic participation.¹² It noted that patriarchal attitudes and stereotypical images of women and girls were evident in primary and secondary school curricula. It therefore welcomes the recent review conducted by the Ministry of Education of all textbooks and teaching materials to remove discriminatory content and pictures. The Working Group also welcomes the launch of the new "Girls in science" initiative, which has reportedly reached 3,000 girls and is designed to lift the extremely low proportion of women in the National Academy of Sciences, currently at 8 per cent.

36. While the net enrolment and attendance rates of girls and boys are high for primary education, net attendance is lower for higher secondary education (59 per cent for boys and 56 per cent for girls). Those at high risk of dropout, such as working children, children with disabilities and migrant children, come from socially disadvantaged families. The Working Group takes note with concern of reports of school children from marginalized communities

¹¹ See https://kyrgyzstan.un.org/sites/default/files/2022-04/gendernoe_ravenstvo_0.pdf (in Russian only).

¹² See <https://data.worldbank.org/indicator/SE.ADT.1524.LT.ZS?locations=KG>.

who are forced to combine study and work in a manner that jeopardizes their health, development and access to educational opportunities. It is particularly concerned about overcrowding in many schools, especially those in large cities.

37. The Working Group heard about school dropout rates among girls due to child early and forced marriage and adolescent pregnancy. As stated by one interlocutor, “whether a young woman continues her education depends solely on her husband’s decision”. The Working Group commend the campaigns targeting parents, religious and community leaders to explain the importance of education for girls and young women at all levels as a basis for their empowerment and that of the family, and also of financial support for low-income families to cover the indirect costs of education, such as transportation.

38. The Working Group encourages strengthening the *Человек и общество* (“Individuals and Society”) course taught in schools to include gender equality and human rights and adopt interactive teaching methods, such as role play and a “train the teachers” component. Quality, comprehensive sex education should be fully incorporated into the national school curriculum for girls and boys. The experts are concerned that sex education often targets girls only, leaving boys without information on sexual and reproductive health. They were pleased to hear about the cooperation between some schools and non-government women’s rights organizations covering the topics of gender equality and respectful relationships between boys and girls.

39. The urban-rural divide is also evident in the quality of education, as seen in major disparities in educational outcomes and economic attainment for rural girls and women, who face multiple barriers. There is also a digital divide that is exacerbated by disparities in access and digital skills, particularly between urban and rural areas.

V. Health

A. Access to health care

40. The Working Group welcomes law reform focusing on restructuring hospital care and developing primary health care and increasing financing of the health system to reduce the financial burden on patients. Kyrgyzstan has introduced a “State-guaranteed benefits package”, which ensures free basic health and hospital care for pregnant women, women during delivery, women with pregnancy-related and/or delivery complications and children under 6 years of age. The categories of patients entitled to free health services are based on social status and medical considerations.

41. The Working Group noted with concern that most patients have to make co-payments for inpatient care and only 50 per cent of the so-called basic price of a limited list of approximately 70 medicines is covered in outpatient care. Furthermore, spending on health care as a share of total spending has declined in recent years.¹³

42. In rural areas, access to health-care services, including maternal health-care services, is limited. Services are particularly affected by staff shortages and competency issues, particularly since the pandemic. Some health-care workers described its impact as “catastrophic”. Anaemia, largely attributed to malnutrition and poverty, is widespread, and disproportionately higher in women and girls. There is an immense demand for psychological support, triggered by difficult situations and social conditions.

43. The Working Group was also alerted to the lack of specialized services for women and girls living with HIV/AIDS and instances of denial of services, as well as limited availability of counselling and mental health services for women victims/survivors of sexual violence. Specialized services, such as hormone therapy, for transgender persons are lacking. Targeted programmes based on a harm-reduction approach for drug users, including women engaged in sex work, are not available.

¹³ World Health Organization (WHO), Health systems in action: Kyrgyzstan: 2022, available at www.who.int/kyrgyzstan/publications/i/item/9789289059152.

44. The working Group commended the implementation of an e-health data system to collate all health data across the country and to ensure the compilation of a comprehensive evidence base for policy development. Targeted measures, such as training for medical personnel on the health needs of women from vulnerable groups, and ways to address gender bias and racial prejudices are needed to improve the quality of health services. Attention should be paid also to the prevention of non-communicable diseases and to the screening of breast and cervical cancer markers.

B. Sexual and reproductive health

45. The Working Group notes positively the enactment of a dedicated law on reproductive health, namely the Law on Reproductive Rights of Citizens. Even though Kyrgyzstan has made progress in the past decade in reducing maternal mortality, the rate is still one of the highest in Central Asia; indeed, the rate has risen since the COVID-19 health crisis. In 2021, the maternal mortality rate was 37.1 per 100,000 live births (57 women died while giving birth or during the post-partum period). The Working Group welcomed the news that, in the first half of 2022, the maternal mortality rate decreased to 24 per 100,000 live births.

46. The Working Group welcomed the Government's efforts to procure contraceptives for women in marginalized situations. Interlocutors from these communities reported, however, that they were not aware of these programmes and that, in practice, free access was not ensured. They indicated barriers, such as the cost of contraceptives and the lack of availability of family planning services, particularly in rural areas. The denial of access to a full range of contraceptive information and services and the failure to remove barriers to access and to eliminate stereotypes depicting women's "natural role" as mothers to justify such denial, constitutes a form of discrimination against women and girls, which puts their well-being at risk.¹⁴

47. Stereotypical attitudes that emphasize women's role as procreators and child-bearers, and limit their autonomy, impede important conversations about the many risks to their sexual and reproductive health, both within the family and in the realm of policymaking. Consequently, women are neither able to protect themselves against such risks, including those associated with unplanned and closely spaced pregnancies, nor to make full use of the limited information that is available from health clinics and non-governmental entities.

48. The Working Group was pleased to note that women's and girls' ability to control their fertility is supported by access to legal abortion up to the twelfth week of pregnancy. Termination of pregnancy in Kyrgyzstan is permitted upon request up to 22 weeks, and thereafter for therapeutic reasons. Crucial gaps in the availability and accessibility of contraceptives and related information nonetheless force some women and girls to continue unwanted pregnancies to term or to resort to pregnancy termination in unsafe condition. The experts were concerned at the absence of programmes targeting the sexual and reproductive health needs of adolescents and young people to educate them about the risks. This was explained to be a result of the perceived "sensitivity" of the issues based on cultural and religious considerations.

49. Adolescents can legally receive health services without parental consent from the age of 16 years. The Child Protection Law states, however, that no services can be offered to a child under the age of 18 years without parental consent. This legal contradiction often poses a barrier to access to services and should be addressed.

50. Access to feminine hygiene products and sanitary facilities is also an issue for many women and girls, especially those living in poverty and in rural areas, and is a source of stigma and discrimination.

¹⁴ A/HRC/47/38, para. 22.

VI. Family and culture

51. Numerous interlocutors pointed out that discriminatory patriarchal views of gender roles are widely accepted within Kyrgyz society in the name of religion and culture, and negatively affect all areas of women's and girls' lives. Harmful practices in the family and in society undermine women's and girls' full enjoyment of their rights and freedoms. The Working Group is committed to upholding freedom of religion and belief as a human right; for that reason, it regrets the increasing challenges to gender equality in the name of religion. It joins other international human rights expert mechanisms in reiterating that freedom of religion and belief cannot be used to justify discrimination against women.¹⁵ Kyrgyzstan has legal obligations to eliminate all forms of discrimination against women and girls in family and culture.¹⁶ Culture is not a static or unchanging concept; it is rather a living, dynamic and evolving process that permeates all aspects of society across the world. Viewing culture and belief as immutable hinders the full realization and development of women's and girls' human rights.

52. Even though Kyrgyzstan is a secular State, religious fundamentalism is on the rise and being used to put pressure on women to surrender their autonomy and to be more obedient and submissive. The Working Group noted that the Government was aware of this trend, including its negative impact on women and girls, but has not yet adopted a comprehensive strategy to counter it. Kyrgyz women and children who have left the country and been subjected to human rights violations and abuses and exposed to extreme acts of violence by terrorist groups¹⁷ need tailored strategies for their rehabilitation and reintegration, to address their specific needs and minimize risks leading to stigmatization and exclusion upon their return.¹⁸

53. While the Working Group welcomed the reported decrease in the frequency of bride kidnapping and forced marriage, and pointed out that both practices, according to articles 172 and 173 of the Criminal Code, are illegal, it is deeply concerned that the practices continue despite their prohibition and at the fact that there is little accountability for them. The Working Group has urged the Government to enforce the law, to bring perpetrators to justice and to provide appropriate legal and other remedies to victims. It is estimated that 13 per cent of women aged under 24 have been married through some form of coercion.¹⁹

54. Under the Family Code of 2005, the minimum legal age of marriage is 18 years. Individuals may marry at 17 years with the permission of local authorities. Women married through a religious ceremony (*nikah*) without civil marriage registration are excluded from the safeguards guaranteed in the Family Code and are denied any rights or protections upon dissolution of the union. They cannot prove guardianship of their children without their husband's confirmation and therefore have no formal right to claim custody. They have unequal access to property and inheritance. The Working Group was also concerned about reports of preference for sons. This is both an expression and a leading cause of discrimination against women and girls in the family and exacerbates systemic discrimination.

55. Child marriage is a harmful practice and a human rights violation. It robs girls of their agency to make decisions about their lives, disrupting their education, making them more vulnerable to violence, discrimination and abuse, and preventing their full participation in

¹⁵ See A/HRC/29/40 and A/HRC/38/46.

¹⁶ Convention on the Elimination of All Forms of Discrimination against Women, art. 5.

¹⁷ See AL KGZ 1/2021.

¹⁸ "Key principles for the protection, repatriation, prosecution, rehabilitation and reintegration of women and children with links to United Nations listed terrorist groups", United Nations, April 2019. Available at www.un.org/counterterrorism/sites/www.un.org.counterterrorism/files/key_principles-april_2019.pdf.

¹⁹ United Nations Children's Fund (UNICEF), *Realizing Rights, Changing Lives: the impact of the United Nations human rights system on the enjoyment of children's rights*, 2020. Available at www.unicef.org/documents/realizing-rights-changing-lives-impact-united-nations-human-rights-system-enjoyment.

economic, political and social life.²⁰ The persistence of the practice can be explained by parental control, harmful stereotypes and increasing religious fundamentalism, and is compounded by precarious socioeconomic conditions. There is a need for comprehensive data on the number of child early and forced marriages and for stronger measures of prevention.

56. As stated by the Working Group in a previous report²¹ and in joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2014) on harmful practices, child marriage is a violation of girls' human rights that must be combated through a solid legal framework that prohibits such a practice and by sustained strategies. Forced and child marriages have consequences that are unique to women and girls, presenting risks to their physical and mental health, as they may result in forced or unwanted pregnancy. In the case of child marriage, girls' health may be endangered by early and frequent pregnancy and childbirth, resulting in higher than average maternal morbidity and mortality rates. Pregnancy-related deaths are the leading cause of mortality for girls between 15 and 19 years of age (whether married or unmarried) around the world. Child marriage is likely to affect women's and girls' development and their equality of opportunities in social and economic life, as it leads to high levels of school dropout and deprives them of their right to education. Every year, about 500 girls aged 13 to 17 years become mothers in Kyrgyzstan.²²

57. According to young girls and other interlocutors, sexuality remains a taboo topic, particularly in conservative communities. The worldwide backlash against women's rights driven by conservative cultural, political and religious movements of recent years can also be observed in Kyrgyzstan, particularly regarding sexual and reproductive rights and LGBTIQ persons. Transgender persons face problems with the legal recognition of their assumed identity, in many cases having to undergo full medical transition, including sterilization. This requirement is incompatible with applicable human rights standards. The Working Group notes that same-sex civil partnerships are not recognized by law.

VII. Disadvantaged and marginalized groups of women

58. The Working Group heard from disadvantaged and marginalized women, including older women, women with disabilities, women belonging to ethnic minority groups, migrant women, women living with HIV/AIDS, women using drugs and lesbian, bisexual and transgender women. They face multiple and intersecting forms of discrimination, and a wide range of human rights violations that exacerbate oppression and inequalities stemming from pervasive gender-based discrimination in the country. The Working Group called upon the Government to recognize the additional barriers that these women face and to develop tailored responses.

VIII. Gender-based violence against women and girls

59. The Working Group is deeply concerned about testimonies and reports received that indicate a high degree of acceptance of gender-based violence, including online, within the Kyrgyz society. Owing to the widespread practice of victim blaming and the lack of a survivor-centred approach, reports of gender-based violence are not taken seriously and incidents are underreported. Despite the strong legal framework on the protection from family violence and the decree on "protection, and protection from family violence" of 2019, gender-based violence continues to take many forms, including domestic violence, economic violence, bride kidnapping, child marriage, and physical and psychological abuse.

²⁰ See OHCHR, "Child and forced marriage, including in humanitarian settings", available at www.ohchr.org/en/women/child-and-forced-marriage-including-humanitarian-settings.

²¹ A/HRC/29/40.

²² UN News, "The ongoing fight against child marriage and 'bride kidnapping' in Kyrgyzstan", 20 February 2022.

60. The Working Group is deeply concerned about the high degree of violence fuelled by pre-existing gender inequality and harmful gender stereotypes, compounded by the economic and social stress caused by the pandemic. There is a common belief in Kyrgyzstan that it is acceptable for men to use violence against women if they fail to fulfil their supposed responsibilities or when their behaviour transgresses social norms. It is widely held that women must obey their husbands and should not seek equality in decision-making. Impunity for cases of gender-based violence is widespread.

61. Although the Working Group notes a number of promising initiatives and campaigns funded by the Government, including a crisis centre, it recalls that, very often, private entities and donors are the ones funding awareness-raising, prevention campaigns and services for survivors of gender-based violence. These efforts should be scaled up and additional resources provided to ensure that every woman and girl in Kyrgyzstan can live free from violence. Men and boys should be part of the solution.²³

62. Gender-based violence against women and girls is one of the most brutal manifestations of discrimination against women. It can be committed in any space or sphere of a woman's life, including in the family, the community, public spaces, the workplace, leisure, politics, health services and educational settings and digital environments. Acknowledging as much is important in order to develop adequate strategies addressing the root causes of such violence and challenging the discriminatory cultural and social norms that fuel them. Framing violence against women only as family violence neglects the gendered causes and consequences of violence in all other spheres of their lives.

63. Femicide, an extreme form of violence, rooted in gender discrimination and misogyny, is widespread and underreported in Kyrgyzstan. Perpetrators are rarely brought to justice. Eight out of 10 female murder victims are killed by men known to the victim, often the intimate partner, relative or friend.²⁴ Killings are often preceded by domestic and gender-based violence. It is vital to address the impunity of crimes based on the relationship between the victim and the perpetrator.²⁵

A. Domestic violence

64. The Working Group welcomes the opening of a shelter for victims of domestic violence in Bishkek in 2021, but was troubled to learn that it is the only one fully funded by the Government. Interlocutors cited data indicating that only 11 per cent of women feel safe at home. The Working Group was also alarmed by reports of an increase of 65 per cent in domestic violence during the pandemic.

65. The Working Group was informed about recent capacity-building programmes on the law, gender sensitivity, and investigations into gender-based violence for police officers, lawyers and judges. The development of practical guidance for the police on effective investigations into gender crimes against women and minors is a positive development.

66. The Working Group notes that statistics on domestic violence are collected by different entities (health authorities, internal affairs, and courts), which all provide different data. It therefore remains concerned about the absence of a consolidated system for the collection of disaggregated data on cases of domestic violence.

67. The Criminal Code of 2021 established a process for preliminary investigation that guarantees victims the rights to legal representation and petition, and to claim damages only after a preliminary investigation check and the issuance of an order on the recognition of the victim. The Working Group regrets that the Code also allows for reconciliation of the parties in cases of violence (art. 57). The Code of Criminal Offences contains three provisions on

²³ See "Men's accountability for gender equality", Working Group on discrimination against women and girls. Available at www.ohchr.org/en/special-procedures/wg-women-and-girls/mens-accountability-gender-equality.

²⁴ See Anna Kapushenko and Saviya Khasanova, "Femicide: Who is killing women in Kyrgyzstan and how?", 2020 (in Russian only). Available from https://soros.kg/2020/12/11/femicide_research/.

²⁵ A/76/132.

gender-based violence (arts. 70, 71 and 72). Lack of legal literacy of victims probably prevents many from seeking legal remedies.

68. According to the information received, in 2022, authorities registered 9,880 cases of domestic violence. A total of 8,725 protection orders were issued, of which 191 were extended owing to the severity of the cases. Some 90 per cent of victims of domestic violence are forced to return to their aggressors because of their economic dependency and social pressure to preserve family unity.

69. The Working Group urges the Government to enforce and monitor the implementation of the Law on Domestic Violence adopted in 2017, which prohibits domestic violence and spousal violence. It is deeply concerned about impunity for perpetrators, the limited enforcement of protection orders, the lack of victim support and the barriers to women's and girls' access to justice in cases of domestic violence, including re-victimization during long criminal proceedings. When neglected by the authorities, cases of domestic violence may result in disabilities, premature death and killings.

70. Additional measures are needed to ensure the integration of victims/survivors in society, such as giving priority in housing and employment. Prevention measures taken by different government agencies, such as police training, educational activities and national campaigns, should be strengthened and the timely, gender-sensitive prosecution of crimes ensured. Domestic violence should be considered in cases involving the implementation of the Convention on the Civil Aspects of International Child Abduction.

B. Sexual violence

71. During the visit by the Working Group, interlocutors indicated that sexual violence was of particular concern and seriously underreported, partly owing to the lack of trust in the criminal justice system. Criminal justice laws and mechanisms for combating sexual violence in Kyrgyzstan suffer from major shortcomings. Rape accounts for a significant proportion of sexual violence. The current laws do not include the concept of consent in the definition of rape. Furthermore, marital rape is not recognized as a crime, and is normalized by harmful gender stereotypes. The Criminal Code should therefore be reviewed and updated. Efforts should be made to ensure that all instances of non-consensual sex are prosecuted as rape, and that rape is treated in practice as a serious offence.

72. The Working Group notes with concern the low reporting rate of sexual violence by women to law enforcement agencies. According to testimonies, the low rate can be explained by the lack of sympathy shown by law enforcement agents to victims of violence, gender stereotyping and victim blaming. The small number of women police officers and skilled female investigators and judges, and the risk of re-traumatization, act as barriers to victims. A significant increase in female police officers combined with the establishment of a dedicated police unit with a direct reporting line to the Ministry of Internal Affairs, comprising specially trained police officers and investigators who can focus on the investigation of gender crimes and directly refer cases to a court where the judges have been trained to handle cases of gender-based violence, is needed to ensure the prioritization of investigations into these crimes.

C. Trafficking in women and girls

73. Trafficking in women and girls inside and outside the country, primarily for purposes of sexual exploitation and work, is a concern. The main drivers of this scourge are gender-based discrimination, lack of education, child sexual abuse, lack of protection for children left behind by their parents working abroad, and corruption, together with other factors of intersectional discrimination, such as poverty.

74. Kyrgyzstan has ratified the Protocol to Prevent, Suppress and Punish Trafficking in Persons especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and signed the agreement on cooperation among the States members of the Commonwealth of Independent States in the fight against trafficking

in persons, organs and human tissues. It has taken a number of legislative and institutional measures to tackle the phenomenon of trafficking in women and girls, including the adoption of the Law on Preventing and Combating Trafficking in Persons, the Law on the Protection of Victims of Crimes and the Law on the Protection and Promotion of Children's Rights. A national agency dedicated to countering trafficking in persons, set up in 2011, is responsible for maintaining an integrated system that monitors and evaluates victims of trafficking. A specialized police force has also been established, and the national strategy for 2018–2022 is still being implemented. The Ministry of Internal Affairs collects data on criminal cases including labour and sexual exploitation. Facts relating to trafficking in children are taken into account separately.

75. While the establishment of specialized police units and the organization of specialized training courses for relevant personnel are positive steps, further efforts are needed to ensure the swift prosecution of crimes featuring elements of trafficking in accordance with international law, including ensuring redress for victims/survivors of trafficking.

D. Access to justice for victims/survivors

76. During the visit, the Working Group was concerned about the lack of awareness of women about their rights and enforcement mechanisms. In order to ensure women's effective access to justice, there is a need to address the inequalities and biases that exist at the legal, institutional and sociocultural levels.²⁶ Specific measures are needed to build the trust of victims/survivors in the system, to strengthen their security and economic independence, and to sensitize and equip relevant authorities to respond to complaints. Furthermore, investigative efforts should be focused on all relevant and available evidence. Interlocutors with the Working Group indicated that witnesses were often required to pursue cases of domestic violence, and evidence of physical injury was needed in reported cases of rape.

77. The Working Group welcomes the adoption of a framework for addressing human rights violations through the adoption of the national action plan for 2022–2024, with its focus on the elimination of discrimination and increasing access to justice. The Working Group is however concerned about the lack of effective measures to enable women to take legal action and the failure to remove institutional and social barriers. According to information received, only 2.5 per cent of reported cases of domestic violence are prosecuted.

78. The Working Group repeatedly heard about delays in issuance, failure of extension and the overall a low rate of enforcement of protection orders, and calls upon the Government to review the procedures relating to temporary protection as a matter of urgency. It also urges the State to recognize the additional barriers that women with disabilities and women living in rural areas face, and to adopt targeted measures.

79. The Working Group welcomes coordination and cooperation of several non-governmental actors and donors to assist victims/survivors in their access to justice and to work on the prevention of gender-based violence. It however recalls the State's obligation to prevent and combat violence against women and to ensure that gender-based violence is investigated, perpetrators are held accountable and victims/survivors are provided with redress. Legal and institutional measures should be supported by adequate financial investments.

IX. Women deprived of liberty

80. During the visit to the sole female prison in the country, the Working Group learned that many women were serving sentences for non-violent economic crimes and were survivors of domestic violence. The experts commend the availability of vocational training on a voluntary basis, as this could help to provide a potential source of income for women on

²⁶ According to the Committee on the Elimination of Discrimination against Women, in its general recommendation No. 33 (2015) on women's access to justice, these include discriminatory or insensitive legal provisions, existence of gender stereotypes in society and the judiciary, women's economic dependence and responsibility for children, and gender bias in the system.

their release. Given however that women are offered only stereotypical activities usually only attributed to women (namely, courses on baking and sewing), the experts also encouraged the diversification of training opportunities to increase women's economic options. Money earned in prison is often used to buy sanitary products and food to cover their primary needs. The experts pointed to the need to comply with the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) which, among other things, calls for the provision of free sanitary products.

81. A number of women were found to be living with their children – some under 3 years of age – in prison. Alternatives to detention for women who have dependent children should be adopted in accordance with the Bangkok Rules.

X. Conclusions and recommendations

A. Conclusions

82. **Kyrgyzstan has an immense opportunity to harness the potential of women. It has made progress in introducing new laws and institutional measures focusing on gender equality. The conceptual framing of key legal concepts, such as discrimination, substantive equality, gender-based violence and structural inequality, should be expanded to respond to the realities of women's lives.**

83. **While Kyrgyzstan has made formal commitments to advance gender equality, the root causes and leading drivers of gender-based discrimination and violence, which in the Kyrgyz context include harmful gender stereotyping and lack of economic opportunity and security for women and girls, are not being systematically addressed by duty bearers. There has been a noticeable increase in religious fundamentalism and the number of women subject to an oppressive interpretation of religious and social norms that is espoused by a minority and envisions a subservient role for women in the family and in society. This increase has been mainly due to an environment of despair, family pressure and lack of opportunities for women's personal and professional development enabling them to exercise their autonomy and capabilities, to avoid isolation and to improve their productivity.**

84. **The current legal, policy and institutional frameworks should be more centred on women and girls who are systematically disadvantaged by a range of factors, including misogyny, persistent gender stereotyping, rising poverty, pervasive violence and extremist religious views on women's role in society. The collection and analysis of gender disaggregated data and their interpretation through an intersectional lens can support the adoption of an evidence-based policy that is inclusive and produces equitable outcomes for women and girls in a variety of situations, including those who are most at risk and marginalized owing to intersecting forms of discrimination.**

85. **Priority should be given to proper implementation of all relevant laws, institutions and mechanisms for the advancement of gender equality. Public officials in all branches of government and law enforcement at all levels must be equipped to design and implement gender-sensitive and gender-responsive policies. Adequate resources must be invested and coordination ensured to accelerate progress. The adoption of temporary special measures and education for human rights, gender equality and civic responsibility should be widely promoted.**

86. **Kyrgyzstan has always been characterized by its vibrant civil society, many members of which have focused on women's rights issues. In no way should human rights activists be harassed or criminalized for the important work they do. Many civil society and women's rights organizations, not to mention female community leaders, play a crucial role in fulfilling the immediate needs of women and girls, ranging from managing crisis shelters and supporting the reintegration of women released from prison to organizing quality childcare services. Regrettably, many depend entirely on foreign funding for their activities. Civil society and women's rights organizations must be treated as partners. Their right to participate in democracy and policymaking must**

be ensured, as should an enabling environment in which they may operate freely, free from acts of harassment and intimidation.

87. There is also a limited understanding of structural barriers, including laws, policies and gendered social roles and expectations, and how intersectional discrimination on multiple prohibited grounds has a negative impact on different groups of women and girls in the enjoyment of their human rights.

88. Despite the illustrious history of female leadership in Kyrgyzstan, a combination of patriarchal political, socioeconomic, religious and cultural factors continues to undermine most women's participation in public, political, social and economic life. Women in Kyrgyzstan have aspirations and want more opportunities to be better represented in all aspects of public life and to make decisions. Much stronger efforts are needed to increase their participation, to break through the glass ceiling and to achieve gender parity at all levels of decision-making.

89. Access to an adequate standard of living and other social and economic rights has a disproportionate adverse impact on rural and minority women. Adequate gender-sensitive investment in public goods and services should be prioritized. Women's access to employment is low, and the gender pay gap persists, as does gender inequality in the labour market; access to decent jobs for women must therefore be improved, particularly for women in precarious work. Tailored measures are needed to reduce women's high load of unpaid care and domestic work, and women in the informal labour market need greater legal and social protection.

90. Even though the State provides universal health coverage, access to quality health care is uneven across the country, a problem that disproportionately affects women living in poverty. Women and girls from minority groups often encounter racial prejudice in their access to health and other public services, and there is a lack of tailored services for women and girls with disabilities and other groups of women and girls in vulnerable situations. Greater prioritization of access to a full range of sexual and reproductive health services is needed to tackle women's and girls' systemic disadvantage and to ensure their autonomy, health and safety.

91. The Working Group encourages further measures to address the rate of early school dropout, to improve access to secondary and tertiary education for girls from marginalized communities, and to ensure quality education (particularly in rural areas). Comprehensive sexuality education is limited and should be introduced in schools across the country. Moreover, while there is civic education, further efforts to provide education on gender equality, the elimination of gender stereotypes and the creation of gender-sensitive environments in schools are needed.

92. The level of gender-based violence against women and girls is unacceptably high. Societal tolerance of violence and harmful gender stereotypes make it difficult for victims/survivors to have access to justice. Even when women and girls decide to seek legal recourse, they encounter a multitude of formal and informal barriers. Protection orders are not easily granted, and when they are, they are not enforced. Impunity for gender-based violence crimes is high.

93. The Government and all stakeholders, including civil society and everyday women, should work in partnership to achieve gender equality by eliminating discrimination in law and in practice, and thereby secure the enjoyment of human rights in Kyrgyzstan.

B. Recommendations

94. With regard to legal, policy and institutional frameworks, the Working Group recommends that the Government:

(a) Ratify the International Convention for the Protection of All Persons from Enforced Disappearance and the ILO Violence and Harassment Convention, 2019 (No. 190) and the Domestic Workers Convention, 2011 (No. 189);

(b) Ensure effective implementation of relevant laws, policies and strategies and introduce new measures focusing on achieving substantive equality and addressing the specific needs of women and girls facing multiple and intersecting forms of discrimination, such as adolescent girls, women and girls from minority groups and women with disabilities;

(c) Bring the Office of the Ombudsperson into compliance with internationally recognized standards of independence, plurality and accountability for national human rights institutions, in particular with the Paris Principles, and ensure that the National Centre for the Prevention of Torture keeps its independent mandate, and that both said human rights institutions are allocated sufficient resources to implement their mandates;

(d) Ensure the participation of women, at all levels, in the design, implementation, monitoring and evaluation of relevant laws and policies;

(e) Collect gender-segregated data and use them to develop gender-responsive policies, including gender-responsive budgets at all levels;

(f) Strengthen the institutional architecture for equality, in particular by:

(i) Coordinating the efforts of the National Council on Gender Development under the Government and the Council on Women's Rights, Children's Rights and Gender Equality under the Speaker of the *Jogorku Kenesh*, which should encompass measurable objectives and effective evaluation and monitoring frameworks to ensure progress towards gender equality;

(ii) Strengthen human rights institutions, in particular the National Centre for the Prevention of Torture and the Commissioner for Children's Rights, by ensuring their independence and allocating them sufficient resources.

95. With regard to public and political life, the Working Group recommends that the Government:

(a) Investigate acts of intimidation and harassment of activists, bring perpetrators to justice, and compensate victims;

(b) Recognize the important and legitimate work of women's and girls' organizations in advancing human rights and fundamental freedoms, and allocate public funding to support and establish effective mechanisms for cooperation of central and local authorities with them throughout the country;

(c) Increase the representation of women at all levels of government, including municipal, county and State government, in particular in managerial positions, with a view to achieving gender parity;

(d) Increase women's participation in elected positions through the introduction of temporary special measures, and remove barriers to increase their representation to 50 per cent;

(e) Encourage the participation of women and girls from different groups in society, in particular women with disabilities, LBTIQ+ women, and minority women, in public and political life;

(f) Consult women of younger generations, particularly high school and university students, to ensure that their concerns are taken into account in the design of policies and strategies affecting their lives, and ensure a nurturing environment for girls' activism and collective action.

96. With regard to economic and social life, the Working Group recommends that the Government:

(a) Put in place policies and programmes to facilitate access to social goods, services and benefits by women in low-income rural communities and women and girls from minority groups;

(b) Define and take targeted measures to close the urban-rural divide in the distribution of affordable housing, water, and sanitation facilities;

(c) Remove discriminatory provisions regarding professions held by women; study the situation of workers in the informal economy (such as domestic and care workers); collect data disaggregated by gender; and take measures towards formalizing the informal sector;

(d) Introduce targeted intersectional and gender-responsive measures to create more opportunities for women to have access to formal employment, particularly in rural areas, and to integrate women from marginalized communities – such as minority, migrant and refugee women – into the labour market;

(e) Introduce additional and targeted measures to ensure a work-life balance for women, especially for those who are primary caregivers, including by introducing flexible working arrangements, ensuring access to childcare facilities and undertaking awareness-raising activities to encourage fathers to make use of parental leave;

(f) Take measures to address the rate of early school dropout, including by strengthening the role of school mediators, and promote and facilitate access to secondary and tertiary education for girls from marginalized groups;

(g) Take targeted measures to improve the quality and performance of schools in rural areas, and ensure an equal distribution of education outcomes across the country among girls and women and boys and men;

(h) Guarantee comprehensive, scientific, human rights-based and age-appropriate comprehensive sex education for all children;

(i) Integrate human rights education at all levels of education, addressing specifically women's and girls' rights and gender equality issues, including discrimination and violence against girls;

(j) Support research on gender equality and violence against women, and introduce university courses and specialized degrees and programmes on these issues.

97. With regard to health, the Working Group recommends that the Government:

(a) Address the causes of maternal mortality, and ensure timely and affordable access to safe abortion and post-abortion services and obstetric care;

(b) Ensure full access to quality health-care services to all women and girls by taking into account the needs of women and girls facing intersectional discrimination, such as minority women and girls, women and girls with disabilities, migrants and refugees, women and girls living with HIV/AIDS, women engaged in sex work, and lesbian and transgender women;

(c) Ensure full access to reproductive health services, including confidential access to affordable, modern contraceptive methods, family planning services and services for persons living with HIV/AIDS, to all women and girls, including adolescents and those in situations of vulnerability;

(d) Ensure accessibility of menstrual hygiene products by reducing the value-added tax rates on such products, subsidizing them or providing them for free to those in need.

98. With regard to family and cultural life, the Working Group recommends that the Government:

(a) Take measures, including legislative and educational measures, to encourage Kyrgyz society to be more inclusive and to value the contributions of all, including women and girls from ethnic minority groups, those with diverse sexual orientation and gender identities, and women and girls with disabilities;

(b) Undertake educational and sustained awareness-raising strategies aiming at eliminating harmful gender stereotypes, and involve the family, the media and

community and religious leaders in the creation of a culture of gender equality and respect for human rights;

(c) Adopt tailored strategies for the repatriation, rehabilitation and reintegration of Kyrgyz women who joined Da'esh and are now in displacement camps.

99. With regard to gender-based violence, the Working Group recommends that the Government:

(a) End impunity for gender-based violent crimes, including femicide and domestic violence, and collect data and conduct coordinated studies on gender-based violence as a basis for policy;

(b) Ratify the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence;

(c) Reform the Criminal Code to include consent as part of the definition of rape and to criminalize marital rape;

(d) Ensure effective implementation of the Law on Domestic Violence, including adequate implementation and monitoring of protection orders;

(e) Allocate sufficient funds to enable relevant institutions to implement preventative and protective measures on gender-based violence, in particular in rural areas;

(f) Increase the number of female police officers trained to investigate cases of gender-based violence and support victims, and provide continuous specialized training for all relevant authorities, including the police and members of the health services, social services and the judiciary, on gender-based violence;

(g) Establish a dedicated police unit with specially trained police officers and investigators to conduct investigations into gender crimes and refer cases to a court where judges have been trained on gender-based violence;

(h) Improve services for victims/survivors of gender-based violence, sexual violence, domestic violence and/or trafficking, including psychological and psychiatric services, access to shelter for the time necessary, in particular for women and girls in situations of vulnerability, such as women from minority groups, older women, women and girls with disabilities and migrant women;

(i) Ensure the integration of victims/survivors into society by, for example, providing preferential access to municipal housing assistance and employment;

(j) Take into account gender-based violence against women in child custody proceedings, as well as in cases concerning the implementation of the Convention on the Civil Aspects of International Child Abduction;

(k) Make further efforts to address the practice of early marriage, including by reviewing legislation on it, training relevant officials and undertaking educational and other activities, in collaboration with local leaders and non-governmental organizations;

(l) Provide gender-sensitive training to all relevant personnel to support the access of trafficking survivors to justice, and challenge negative perceptions of them, particularly of the survivors of sexual exploitation;

(m) Take measures, including legislative and educational measures, to prevent and address sexual harassment in education and public institutions, including revenge pornography and online sexual abuse against girls, in cooperation with non-governmental organizations and girls' networks;

(n) Address women's and girls' barriers in access to justice, particularly of girls and women from minority groups and other women and girls in situations of vulnerability;

(o) Implement the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok rules).