



**International Convention on the
Protection of the Rights of
All Migrant Workers and
Members of Their Families**

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**Committee on the Protection of the Rights of
All Migrant Workers and Members of Their Families**

**Second periodic report submitted by Kyrgyzstan
under article 73 of the Convention pursuant to the
simplified reporting procedure, due in 2020***

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1. Since the submission of the initial report of Kyrgyzstan on the implementation of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families in 2015, national legislation on migration has been updated as follows.
2. The Constitution of the Kyrgyz Republic, adopted by a national referendum on 11 April 2021, as amended, establishes that the right to travel is subject to restrictions only on the basis of the law and that the right of Kyrgyz citizens to return to the country without hindrance is not subject to any restrictions.
3. The provision that foreign nationals and stateless persons have rights and obligations on an equal footing with Kyrgyz citizens remains unchanged, except as otherwise provided by law or international treaties to which Kyrgyzstan is a party that have entered into force under the procedure established by law.
4. In addition, in 2019, the regulations governing the procedures for the employment of foreign nationals and stateless persons in Kyrgyzstan and the regulations governing the employment of Kyrgyz nationals abroad were adopted by Government Decision No. 175 of 16 April 2019.
5. Under the International Labour Migration Act, “migrant worker” refers to a person who has a regularized status and is engaged in work activity in a State of which he or she is not a national, which corresponds to the definition in the Convention.
6. In addition, the Treaty of the Eurasian Economic Union has been concluded, under which voluntary health insurance is provided within the Union and driving licences are recognized between its member countries, to ensure the protection of the rights of all migrant workers, both with regular migration status and in irregular situations. Since 2020, the conditions for foreign nationals from neighbouring countries to stay and work in Kyrgyzstan have been simplified; work permits are thus no longer required, as it is sufficient to obtain a relevant licence. The States members of the Commonwealth of Independent States are currently making headway on the issue of voluntary health insurance for migrant workers and members of their families. This issue has not been taken up with other countries.
7. Kyrgyzstan is also actively working to expand the international treaty framework and cooperation in the area of migration. In particular, in order to avoid double taxation and prevent tax evasion, the Cabinet of Ministers of Kyrgyzstan has concluded bilateral agreements with the following 31 countries: Armenia, Austria, Canada, China, Czechia, Estonia, Georgia, Germany, Hungary, India, the Islamic Republic of Iran, Kuwait, Latvia, Lithuania, Malaysia, Qatar, the Republic of Korea, the Republic of Moldova, Mongolia, Pakistan, Poland, Russia, Switzerland, Türkiye, Ukraine, the United Arab Emirates and the United Kingdom, along with the Central Asian countries.
8. In addition, the following draft international agreements on migration are currently being developed and negotiated:
 - Intergovernmental agreement with Azerbaijan in the area of labour migration
 - Intergovernmental agreement with Russia on migration exchange in the area of migration
 - Inter-agency agreement with Qatar on the employment of Kyrgyz citizens
 - Inter-agency agreement with Türkiye on the intention to cooperate in the area of migration
 - Inter-agency agreement with Japan on partnership in the implementation of job placement of Kyrgyz citizens under the “skilled worker” system in Japan
 - Initiative by the Uzbek side to conclude a bilateral agreement on labour migration, under review
9. In addition, Kyrgyzstan continues to work in cooperation with the international community through regional organizations (Eurasian Economic Union, Commonwealth of Independent States, Shanghai Cooperation Organization, Organization of Turkic States) as well as international organizations (United Nations Network on Migration, Organization for Security and Cooperation in Europe, International Centre for Migration Policy Development).

Kyrgyzstan is part of several regional consultative processes such as the Almaty Process, the Budapest Process and the Prague Process.

10. The Migration Policy Framework for 2021–2030, adopted by Government Decision No. 191 of 4 May 2021, is aimed at stabilizing migration processes and provides for the mitigation and minimization of adverse factors that cause and accompany migration, taking into account current and future social, demographic and economic challenges.

11. The Framework is to be implemented in two phases, the first for the period 2022–2025 and the second 2025–2030. The plan of action for the implementation of the first phase of the Framework was approved by order of the Cabinet of Ministers, No. 191 of 13 April 2022. A matrix of indicators for monitoring and evaluating the status of implementation of the plan has also been adopted.

12. The Framework is being implemented in coordination with State programmes on sustainable socioeconomic development of the regions, improvement of living standards and human development.

13. The need to regulate migration processes and set in place the necessary conditions for safe, orderly and regular migration is highlighted in the National Development Programme of the Kyrgyz Republic until 2026, approved by Presidential Decree No. 435 of 12 October 2021, which was developed as part of the National Development Strategy of the Kyrgyz Republic until 2040, while the principle of continuity based on the country's long-term strategic development goals continues to be embraced, with a focus on the person and stress on the fundamental obligation to leave no one behind with regard to the Sustainable Development Goals.

14. Furthermore, Presidential Decree No. 4 of 29 January 2021, on the adoption of measures aimed at improving the migration situation, highlights the importance of providing comprehensive support to migrant workers in host countries and protecting the interests and rights of migrant families in Kyrgyzstan.

15. On 20 December 2019, the Heads of State of the Eurasian Economic Union member countries signed the Agreement on Pension Provision for Workers of the States members of the Union, which entered into force on 1 January 2021. The length of pensionable service by workers in countries in the Eurasian Economic Union is added up to calculate pension rights. The amount of a worker's pension is to be determined by each State, taking into account his or her length of service and the contributions paid into the pension system in that State. Each State is to determine eligibility and calculate pension entitlement in accordance with its national legislation. It is up to the worker to determine whether to receive the pension in the country of residence or in the State of employment.

16. In addition, the Eurasian Economic Commission Council approved the unified search system project entitled "Work without Borders" as part of the digital agenda of the Eurasian Economic Union.

17. The main idea of the project is to create a search system that will allow any citizen or employer to search for vacancies or curricula vitae in all country members of the Union. The existing national platforms of the five member countries were used for its implementation. The search engine being developed will allow access to information on available jobs and jobseekers contained in member States' information systems in the area of job placement and employment. As a result, users of the system, jobseekers and employers are given the opportunity to choose from one or more member countries. The Eurasian Economic Union Treaty contains provisions to ensure freedom of movement of citizens within the Union for work. They are not subject to restrictions under national labour market legislation and do not need to obtain a work permit.

18. Workers have the opportunity to work not only under an employment contract but also under an independent contractor agreement for the provision of services or performance of work.

19. Workers and members of their families have the right to stay in the territory of the State of employment for the duration of the employment contract or independent contractor agreement. The period of stay without registration has been increased to 30 days from the date of entry.

20. Qualifications issued in the Eurasian Economic Union States are recognized directly for the purpose of applying for a job, i.e. without going through the procedure for recognition (except qualifications in teaching, law, medicine and pharmacy, advanced degrees and ranks).
21. Social security must be provided under the same conditions and in the same manner as that provided to citizens of the host country. “Social security” means compulsory medical insurance, compulsory insurance for short-term disability in connection with maternity and for industrial accidents and occupational diseases. Emergency medical care is free of charge.
22. Workers and members of their families have the right to own, use, dispose of and protect their property. They have the right to join labour unions.
23. Family members under 18 are entitled to study in the preschools and schools of another member State using a valid document that may be stamped by border control authorities on crossing the State border (passport) and are exempted from the use of migration cards, provided that the period of their stay does not exceed 30 days from the date of entry.
24. The body responsible for migration is currently the Ministry of Labour, Social Security and Migration, in accordance with Cabinet of Ministers Decision No. 392 of 22 July 2022 on Organizational Issues of the Ministry of Labour, Social Security and Migration of the Kyrgyz Republic.
25. In addition, the following bodies are involved in ensuring safe and regular migration and the rights of migrant workers: the Ministry of Foreign Affairs, the Ministry of Internal Affairs, the International Centre for Migration Policy Development, the Ministry of Health, the Ministry of Education and Science and the State Committee on National Security.
26. To date, Kyrgyzstan has not ratified the International Labour Organization (ILO) Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), the ILO Private Employment Agencies Convention, 1997 (No. 181), and the ILO Domestic Workers Convention, 2011 (No. 189). However, the General Agreement between the Cabinet of Ministers, the Federation of Trade Unions of Kyrgyzstan and the national associations of employers for 2022–2024 provides for an analysis of the socioeconomic situation in Kyrgyzstan to determine the country’s readiness to ratify ILO Convention No. 189.
27. Under the new Constitution, the organization and operating procedures of the Ombudsman of Kyrgyzstan are determined by constitutional law. The Office of the Ombudsman (Akyikatchy) has thus drafted a revised version of the constitutional law on the Ombudsman to give the Office additional powers, human resources and financial independence, in accordance with the Paris Principles.
28. It is worth noting that, under the Decree of the President of Kyrgyzstan, since 1 August 2022, the salaries of civil servants at the State and municipal levels, i.e. the salaries of the staff of the Ombudsman’s Office, have increased threefold on average.
29. It should also be mentioned that, on 28 June 2022, a decision was taken at a meeting of the Yiman Nuru parliamentary group to consider whether to open branches of the Ombudsman’s Office abroad in order to provide comprehensive support to migrants and, if necessary, legal assistance. The matter is still pending owing to a lack of funding. Nevertheless, the Office has now appointed officers who work as volunteers to represent the Ombudsman in the Russian Federation.
30. A significant share of Kyrgyz nationals employed abroad work in the territory of States members of the Eurasian Economic Union. Moreover, the bulk of them, more than 80 per cent, work in the Russian Federation. Employment in South Korea and Türkiye is also highly sought after among Kyrgyz nationals. The number of those employed in European countries has been increasing in recent years.
31. According to official data and estimates for 2022, the number of Kyrgyz nationals temporarily or permanently staying abroad is as follows:
- 680,599 in the Russian Federation
 - Over 6,400 in the Republic of Korea
 - 35,000 in Türkiye
 - 35,000 in Kazakhstan

- Under 5,000 in Uzbekistan
- Over 26,000 in the United States of America and Canada
- Over 5,000 in Austria
- Over 5,000 in the United Arab Emirates
- 9,000 in Germany
- 6,000 in Italy
- Over 3,000 in the United Kingdom

32. It is estimated that the overwhelming majority of them (about 90–95 per cent) leave the country for employment purposes.

33. It should be pointed out that the National Statistics Committee website (<http://www.stat.kg/ru/>) provides data on the following: net migration; international migration outflows; international migration by States of arrival (or departure); international migration by ethnic group; and the results of vital statistics.

34. In order to identify and prevent abuse and violence against children from migrant workers' families and children in difficult circumstances, 528 district offices have resumed operations as of 2019. The staff is composed of representatives of the Ministry of Health, Ministry of Education, Ministry of Internal Affairs, Ministry of Social Development and local government authorities. Based on the results of work in 2021, 102,406 children from the families of migrant workers were identified.

35. Specialists from district and municipal social development offices, in cooperation with local authorities, raise awareness among parents wishing to migrate abroad for work of the need to appoint a guardian for their children if they leave the country.

36. Based on the results of these measures, ministries, departments and special representatives of the President in the provinces, district administrations and city halls are set certain tasks to strengthen interdepartmental cooperation to address the problems of families and children in difficult circumstances, including children of migrant workers.

37. Migration data in Kyrgyzstan is collected from various sources and is based on transparency and reliability. Taking into account that Kyrgyzstan is a country of origin and the majority of Kyrgyz citizens are working in foreign countries, the data on migration registration of these States of residence are the basis for calculating the number of citizens working abroad. Data on the number of Kyrgyz citizens working abroad is collected by the Ministry of Foreign Affairs and the Ministry of Labour, Social Security and Migration.

38. Data on the number of foreign nationals who have entered and are staying in Kyrgyzstan for various purposes is collected by the International Centre for Migration Policy Development, the Ministry of Internal Affairs and the State Committee on National Security, which is the main operator of the unified international migration record system.

39. The organization that ultimately processes the data in accordance with the approved methodology is the National Statistics Committee. The Committee keeps statistics on international migration by country of arrival and departure, net migration, international migration outflows and international migration by ethnic group.

40. The Committee is the main government agency responsible for the census. The general population census was postponed until March 2022 because of the coronavirus disease (COVID-19) pandemic under Cabinet of Ministers Decision No. 228 of 22 October 2021 on the preparation and conduct of the 2022 population and housing census in Kyrgyzstan. The census questionnaire also included questions on migration, which will help provide an overview of the migration dynamics of Kyrgyzstan.

41. In 2018, Kyrgyzstan participated in the first assessment of the migration management indicators, which identified the need to adopt a migration policy framework (the report is available at <https://www.migrationdataportal.org/overviews/mgi/kyrgyzstan#0>).

42. Twice a year, workshops and training sessions on the provisions of the Convention are organized for employees of agencies involved in migration issues. This included online training during the COVID-19 pandemic. Information and awareness-raising work is carried out specifically for migrant workers at all stages of migration.

43. It is worth mentioning the participation of representatives of international organizations and civil society in the process of preparing this national report on the implementation of the Convention. The text of the draft national report also underwent public discussions.

44. Under the Constitution, the generally recognized principles and rules of international law and international treaties that have entered into force in accordance with national law form an integral part of the legal system of Kyrgyzstan. As the provisions of the Convention have already been incorporated into national legislation, there is no need for a direct reference to the Convention.

45. Thus, the right to access to justice is enshrined in the Constitution and other laws and regulations. Under article 3 of the Constitutional Act on the Supreme Court and Local Courts, no one may be deprived of the right to have his or her case heard by the court to whose jurisdiction it falls under the laws of Kyrgyzstan, except in cases provided for by law. All persons are equal before the law and the courts. The courts may not give preference to any bodies or parties to proceedings on the grounds of their national or social status, sex, race, ethnic background, language, political affiliation, origin, property or official status, place of residence, place of birth, attitude to religion, beliefs, membership of voluntary associations or other circumstances that are not established by law.

46. However, since the national legislation does not provide for separate legal proceedings in cases of migrant workers, statistical reporting forms do not contain data on the consideration of cases on complaints of migrant workers.

47. Under the State Legal Aid Act, free legal aid is provided in the form of legal advice and professional legal aid. All Kyrgyz citizens, foreign citizens, stateless persons and refugees have the right to receive this assistance.

48. Regardless of income, professional legal aid is provided to the following persons:

- (1) Persons held in detention;
- (2) Suspects, accused persons, convicted persons, persons acquitted of especially serious crimes;
- (3) Persons with category I or II disabilities;
- (4) Persons with mental illness;
- (5) Veterans of the Great Patriotic War and persons of equivalent status;
- (6) Children;
- (7) Victims of domestic violence;
- (8) Single parents raising children;
- (9) Conscripts;
- (10) Older persons living in State social inpatient facilities;
- (11) Foreign nationals, stateless persons, refugees;
- (12) Victims of trafficking in persons;
- (13) Persons whose identity has not been established by the criminal prosecution authorities;
- (14) Persons in other cases provided for by criminal procedure law.

49. Professional legal aid is provided to witnesses under the age of 18 and children by lawyers specialized in cases involving children.

50. The Employment Centre for Citizens Abroad operates a hotline, 1899, offering people counselling, which was used by 2,820 people in 2017, 2,190 people in 2018, 2,159 people in 2019, 761 people in 2020, 16,861 people in 2021 and 22,368 people for the first nine months of 2022.

51. In addition to State-guaranteed legal aid, the official website www.migrant.kg is now operational and is visited by 1,500 to 3,000 people daily. The following features are available on this site:

- Individual checking of one's inclusion on the black list
- Information about new labour markets abroad
- Calls to the hotline
- Sending of messages to a WhatsApp number for legal aid
- Online chat for advice

52. Negotiations are currently underway with Winrock International to update the site and introduce additional features.

53. The plan of action on implementation of the first phase of the migration policy framework for 2021–2030, No. 191 of 13 April 2022, provides for a study of the level of legal literacy and awareness about migration issues among migrant workers, which will be jointly conducted with international partners. A set of recommendations will be provided on the basis of the study.

54. The Ministry of Labour, Social Security and Migration appoints Kyrgyz nationals living abroad with experience in the field of migration, who provide regular advice and practical assistance to migrant workers. They carry out significant work in helping migrant workers adapt to their host countries and campaigns to increase their legal literacy.

55. Against the background of the spread of COVID-19 throughout the world, Kyrgyzstan made a decision to impose restrictions, including on the entry of foreign nationals and stateless persons into the country. In order to ensure the country's economic security, the restrictions were lifted for certain categories of foreign nationals and stateless persons, including those employed in the country.

56. In 2020, the Government of Kyrgyzstan, taking into account the effect of restrictions, introduced the so-called green corridor, by which foreign nationals who violated the established terms of stay in Kyrgyzstan because of the restrictions (closure of borders, lack of international transport links) during the period when the epidemiological situation in the country grew worse could leave Kyrgyzstan without exit visas and registration at the place of stay until 1 March 2022.

57. During the COVID-19 outbreak, the activities of Kyrgyzstan were particularly focused on efforts to return Kyrgyz citizens to their home country in the light of closed borders and suspension of international passenger traffic, and assisting citizens under quarantine restrictions.

58. The relevant government agencies and foreign missions of Kyrgyzstan, under the coordination of the national (operational) headquarters to combat the spread of COVID-19 and mitigate its consequences in the country, carried out extensive work to evacuate citizens to their home country and organize charter flights, including with the assistance of partner countries. In total, from February to September 2020, more than 55,000 Kyrgyz nationals from 67 countries were returned to Kyrgyzstan by air and land transport.

59. The foreign missions of Kyrgyzstan arranged for assistance to be provided to Kyrgyz nationals in need of housing, food, medical care and counselling with funds from the government reserve (set up under Government Orders No. 132 of 17 April 2020 and No. 179 of 15 May 2020) and funding from volunteers from Kyrgyz diaspora organizations abroad and the International Organization for Migration (IOM) and Solidarity Centre.

60. In accordance with disease control measures in Kyrgyzstan, anyone over the age of 16 who so wishes, regardless of citizenship, can get vaccinated and receive a certificate for free at vaccination centres.

61. Information about this option is available on the National Immunization Centre website and at the Centre itself. There have also been campaigns to raise awareness about the free vaccinations in the media and by staff at family health centres.

62. As of 1 October 2022, 1,613,649 people have been vaccinated with a first dose, 1,368,166 with a second and 308,883 with a third.

63. Because vaccination was voluntary, no distinction was made between "citizen of another country" or "migrant worker" and Kyrgyz nationals. Thus, the exact number of vaccinated persons belonging to that group is unknown.

64. It should also be noted that people were asked to show their passports at the time of vaccination solely for the purpose of issuing a vaccination certificate, to be presented when leaving or entering the country. No other documents certifying migration status were required. Consequently, information on persons vaccinated against COVID-19 was not shared by health centres. No instances of detention, expulsion or other penalties were reported in this regard.

65. Kyrgyzstan respects and ensures the rights of all migrant workers and members of their families, as provided for under the Convention, without distinction of any kind as to sex, race, colour, language, religion or belief, political or other opinion, national, ethnic or social origin, nationality, age, economic position, property, marital status, birth or other status.

66. The foundation for comprehensive anti-discrimination legislation is the Constitution. Those who commit acts of discrimination are liable to the penalties provided by law.

67. The Constitution prohibits the adoption of regulations that restrict human and civil rights and freedoms.

68. In this context, it should be mentioned that a bill on the procedure for the expulsion of foreign nationals from Kyrgyzstan is under development. Proposals and comments were received by the Office of the United Nations High Commissioner for Refugees (UNHCR) in Central Asia and the Adilet Legal Clinic during a public discussion of the bill, which were fully taken into account and reflected in the bill.

69. In addition, one of the objectives of the National Plan of Action on Gender Equality for 2022–2024, adopted by Cabinet of Ministers Decision No. 513 of 16 September 2022, is to develop and implement anti-discrimination legislation that includes all types of discrimination.

70. It should be noted that one of the objectives of the Migration Policy Framework for 2021–2030 is to set in place the necessary conditions for training personnel, increasing employment in various sectors of the economy, creating quality jobs and providing decent wages to the population in accordance with the needs of the national economy and taking measures to reduce the existing gender segregation in the labour market. In this regard, the action plan for the implementation of the first phase (2022–2025) of this policy framework is currently being implemented.

71. Kyrgyzstan has paved the way for the full integration of immigrants into local communities. Given the particular cultural qualities of Kyrgyz society, xenophobia and negative attitudes towards migrants are comparatively rare in the country. Taking into account that the majority of migrant workers in Kyrgyzstan come from border States, there are no stable migration communities in the country. Recently, there has also been an increase in the number of foreign students receiving education in institutions of higher education in Kyrgyzstan, which create tight mono-ethnic communities.

72. Since Kyrgyzstan is to a large extent a country of origin of migration flows, the host States of Kyrgyz migrant workers are largely responsible for the problem of discrimination against migrant workers from the country. Nevertheless, State authorities, in partnership with international and non-governmental organizations (NGOs), are constantly raising awareness among migrants of the need to take into account the traditions and culture of host countries in order to avoid conflict situations.

73. Under article 3 of the Act on the Legal Status of Foreign Nationals, foreign nationals and stateless persons enjoy the same rights and have the same obligations as Kyrgyz citizens, except in circumstances established by law or procedures set out in an international treaty to which Kyrgyzstan is a party. Foreign nationals are equal before the law in Kyrgyzstan, irrespective of sex, race, language, disability, ethnic background, faith, age, political or other belief, education, origin, property or other status, or other circumstances.

74. In addition, the need for tolerant attitudes towards all groups of citizens is established by law, and work is being done everywhere to promote tolerance. Under article 330 of the Criminal Code, incitement to racial, ethnic, religious or interregional hostility or hatred is a criminal offense.

75. Furthermore, under the Mass Media Act, the media may not be used for the purpose of inciting inter-ethnic intolerance or hatred.

76. In 2014, the Ministry of Culture, Information, Sport and Youth Policy created a system for early response to and prevention of inter-ethnic conflicts. This system includes a National Public Advisory Council for Inter-ethnic Relations composed of 33 people, 23 public advisory councils for inter-ethnic relations in 23 multi-ethnic districts and cities of the country, 23 public offices to deal with interethnic issues in the corresponding 23 multi-ethnic districts and cities in the country and a monitoring centre with an interactive map of spots with the greatest potential for conflict.

77. Law enforcement agencies have not established any cases of exploitation of migrant workers and members of their families, in particular those working in construction, industry, energy, transport, agriculture, housekeeping and other services. The same goes for domestic slavery and labour or sexual exploitation involving migrant workers in Kyrgyzstan.

78. On the whole, 142 crimes, including robbery and bullying, were committed against foreign nationals in the country, of which 101 were solved and 41 unsolved. The crime-solving rate is 71 per cent.

79. In the first nine months of 2022, 221 crimes were committed against foreign nationals in the country, 185 of which were solved and 36 unsolved. The crime-solving rate was 83.7 per cent.

80. It should be noted in this connection that, on 21 September 2022, the Zhogorku Kenesh, the parliament of Kyrgyzstan, considered and adopted in first reading the bill on amendments to the Act on Preventing and Combating Trafficking in Persons, which complies with the provisions of the ILO Forced Labour Convention, 1930 (No. 29), and the Abolition of Forced Labour Convention, 1957 (No. 105).

81. In Kyrgyzstan, every child has a right to a standard of living adequate for the child's physical, mental, spiritual, moral and social development. The principle of the best interests of the child applies in Kyrgyzstan. It is the responsibility of each of the parents, tutors and guardians to ensure the living conditions necessary for the child's development. The State cares for, raises and educates orphans and children without parental care until the age of 18. They are also offered the opportunity to receive free primary, secondary and higher vocational education. They are provided with social security.

82. The competent child protection agency and the Commission on Children's Affairs, acting in the best interests of the child in accordance with the procedure established by law, are responsible for the protection of the rights and interests of the child in the event of the parents' death, deprivation or restriction of parental rights, lack of dispositive capacity declared by a court, illness or injury, prolonged absence, or failure to look after their child or to protect their child's rights and interests, including the refusal to remove the child from foster-care, health-care, social welfare or similar institutions, or in the event that the child's parents are unknown and in other cases of child neglect.

83. In accordance with article 43 of the Children's Code, children without parental care may be placed in families for adoption, under tutorship or guardianship or in foster families, or, where this is not possible, in all types of institutions for orphaned children or children without parental care (educational institutions, social welfare institutions, care institutions and other similar facilities).

84. Other forms of placement for children deprived of parental care may be provided for by law.

85. When a child is placed, consideration must be given to the child's ethnic origin, religious and cultural affiliations and native language, and to the possibility of ensuring continuity of upbringing and education.

86. Siblings may not be separated when children are placed unless it is in their best interests.

87. Children who have reached the age of 10 may be placed in a family for adoption, under guardianship or in a foster family only with their consent.

88. Article 23 of the Constitution bans slavery, human trafficking and the exploitation of child labour. Forced labour is also prohibited under Kyrgyz law.

89. In accordance with the fourth subparagraph of article 2 of the Labour Code, child labour in its worst forms is prohibited in Kyrgyzstan.

90. The minimum age for admission to employment, in general, is set at 16 years of age under the Labour Code. However, in exceptional cases, in agreement with the body of the organization that represents workers or the competent State labour authority, persons who have reached the age of 15 may be employed. Students over 14 years old may enter into an employment contract with the written consent of one of their parents, or tutor or guardian, or a tutorship and guardianship agency in order to perform light duties in their free time that are not injurious to health and do not interfere with their studies.

91. In accordance with the Children's Code, a child may not be used or recruited to perform any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development. In this context, the ministries and agencies concerned adopted the Interministerial Plan to Prevent Children from Engaging in the Worst Forms of Child Labour 2019–2021. Under this plan, the Ministry of Internal Affairs has conducted regular adolescent labour raids, in which 608 working minors were identified in the first 7 months of 2022, including 5 minors engaged in the worst forms of labour. In the same period in 2021, 557 working minors were identified, of whom 11 were engaged in the worst forms of labour. Information on the minors identified was sent to the social services in order to work with parents and, where necessary, draw up family casework plans.

92. In addition, the Ministry of Labour, Social Security and Migration has developed a draft Cabinet of Ministers programme on child protection for 2023–2026 and plan of action for its implementation.

93. The following measures to eliminate the worst forms of child labour are included in the draft plan:

- Development of a course for specialists on identification of children involved in the worst forms of child labour and social support
- Launch of an annual awareness-raising campaign as part of the organization of the annual 10 days entitled “We are against child labour”, from 2 to 12 June, marking World Day against Child Labour
- Awareness-raising among businesses and agricultural enterprises on the rights of minors when they are recruited and compliance with the law when employing persons under the age of 18
- Awareness-raising with respect to safe employment and migration among minors

94. Currently, these projects are under consideration in the President's Office.

95. According to the Ministry of Labour, Social Security and Migration, in the first half of 2022, 671 raids aimed at identifying working, homeless and neglected children were conducted, which uncovered 51 children engaged in work, 15 homeless children and 106 abandoned children.

96. Identification of working, homeless and neglected children is done by the regional branches of the Ministry on an ongoing basis, in accordance with the regulations on the procedure for identifying children and families in difficult circumstances, approved by Government Decision No. 391 of 22 June 2015.

97. Individual child protection plans are drawn up for every child in such circumstances who is identified and the necessary State and municipal services are provided accordingly.

98. Persons who have committed an act referred to in the Criminal Code are equal before the law and are criminally liable without regard as to their sex, race, language, disability, ethnic background, religion, age, political or other opinion, education, origin, property, official or other status, or other circumstances. Reports and complaints submitted by citizens to the internal affairs bodies are considered in accordance with the applicable laws.

99. There were no cases of harassment or abuse of official position by law enforcement agencies against migrant workers and members of their families.

100. However, over the reporting period, the Ombudsman received 220 reports of violations of the rights of Kyrgyz citizens abroad, 63 applications for assistance with the transfer of Kyrgyz citizens convicted abroad to serve their sentences in Kyrgyzstan,

12 applications relating to the acquisition of citizenship by foreign nationals in Kyrgyzstan and 147 applications from foreign nationals in Kyrgyzstan.

101. Only those acts provided for in the Criminal Code are recognized as criminal offences. No one may be held criminally liable for an act that is not provided for by law.

102. Accordingly, immigration-related offences may constitute a criminal act if they are provided for in criminal law (Criminal Code, art. 168).

103. Under article 61 of the Constitution, all persons have guaranteed judicial protection of the rights and freedoms provided for in the Constitution, other laws, international treaties to which Kyrgyzstan is a party and the generally recognized principles and rules of international law. Everyone has the right to defend his or her rights and freedoms and to seek restoration of violated rights by all available means not prohibited by law. Everyone has the right to qualified legal assistance. In the instances specified by law, legal assistance is publicly funded. The rule for the provision of qualified legal assistance in criminal cases has been brought into line with the Criminal Code and this assistance has been extended to new beneficiaries. For example, refugees and victims of trafficking in persons have been added to the list of persons entitled to State legal aid.

104. Judicial proceedings in Kyrgyzstan are conducted in accordance with the national procedural law. Pursuant to article 21 of the Code of Criminal Procedure, criminal proceedings may be conducted in the State or official language. Participants in criminal proceedings who are not proficient in either language must be provided with appropriate publicly funded interpretation.

105. Under articles 40, 44 and 55 of the Code of Criminal Procedure, victims and suspects have the right to give testimony in their native language or a language in which they are proficient. Witnesses have the right to give testimony in their native language or another language in which they are proficient and to use the services of a qualified interpreter.

106. The national law enforcement agencies regularly send the Consular Department of the Ministry of Foreign Affairs notifications of incidents involving foreign nationals arrested in Kyrgyzstan. Upon receiving such notifications, the Consular Department promptly informs the appropriate foreign diplomatic missions located or accredited in Kyrgyzstan.

107. In accordance with article 4 of the Refugees Act, persons seeking recognition as a refugee in Kyrgyzstan must apply upon arrival, in person or through an authorized representative, depending on where they are staying, either:

- At border crossing points, to the immigration control agencies
- Inside Kyrgyzstan, to the competent authority

108. Applications for refugee status received by the immigration control agencies at border crossing points are transferred within 10 working days to the competent authority, which registers them and carries out the refugee status determination procedure. Along with their application, applicants must produce their identity papers and those of their family members. Applicants who are unable to do so must present documentation accounting for the lack of such identification or provide an explanation. Persons applying for refugee status without documents allowing them to cross the national border may enter the country for the purpose of completing the refugee status determination procedure on the basis of a certificate issued by the competent authority at the border crossing point.

109. Persons applying for refugee status are issued with an application registration certificate in the format established by the Cabinet of Ministers, which is valid for three months and then extended until a final decision is reached on the application, including on any appeal filed. The certificate includes information on the family members accompanying the applicant.

110. There have been no cases of deportation or expulsion of asylum-seekers.

111. Article 378 of the Criminal Code on illegal border crossings does not apply to asylum-seekers.

112. National legislation currently includes provisions on the accommodation of foreign nationals in special temporary holding centres for the purpose of their expulsion by court order.

113. However, despite these legislative provisions, no centres for the detention of persons who may be subject to readmission and expulsion procedures have been established or planned.

114. In this regard, a draft procedure on the operation of specialized centres and requirements for the detention or accommodation of foreign nationals subject to expulsion is being elaborated. The Ministry of Internal Affairs has a strong interest in the establishment and operation of modern temporary holding centres for the detention of foreign nationals, in line with all international standards and with respect for the rights and freedoms of foreign nationals in Kyrgyzstan.

115. Initially, the Ministry plans to establish such centres based on the existing special holding centres of the Bishkek Central Department of Internal Affairs and Osh Department of Internal Affairs.

116. Only persons suspected or accused of committing a criminal offence are subject to remand in custody. In accordance with the Act on Procedures and Conditions for the Custody of Suspects and Accused Persons, foreign nationals and stateless persons remanded in custody as suspects or accused persons in Kyrgyzstan have the same obligations and enjoy the same rights and freedoms as Kyrgyz citizens, except for restrictions permissible under the Constitution, the Act, other national laws and international treaties to which Kyrgyzstan is a party that have entered into force in the manner prescribed by law.

117. The country's internal affairs agencies have not recorded any incidents of detention of migrant workers that resulted in a negative impact on the health and personal inviolability of migrants, including adverse consequences on their mental health.

118. The use of preventive measures such as bail, house arrest, detention pending extradition and remand in custody falls within the competence of the investigating judge in accordance with article 32 of the Code of Criminal Procedure.

119. Persons who, following a court decision to expel them, do not leave the country within the period specified in the decision are subject to placement in specialized centres for the period necessary to arrange for their expulsion, up to a maximum of 30 days. The procedure for the expulsion of foreign nationals and the operation of and requirements for specialized centres are approved by the Cabinet of Ministers.

120. Article 32 of the Code of Offences provides that foreign nationals who commit offences may be expelled.

121. The expulsion of foreign nationals as a punishment must be ordered by a court.

122. A court ruling made in relation to offences coming directly under the jurisdiction of the court, may be appealed to the provincial or similar courts within 10 days of receipt of a copy of the ruling.

123. There are currently no cases of expulsion of migrant workers and, accordingly, no cases of children being separated from their families. There are also no cases of migrant workers and members of their families in an irregular situation being expelled by the law enforcement agencies.

124. Since January 2019, the Ministry of Internal Affairs and the diplomatic missions of Kyrgyzstan have had 24-hour channels for communication with citizens over social media, with the numbers posted on the websites of the missions, to allow citizens to communicate in emergencies and receive prompt consular assistance related to the protection of their rights and interests.

125. To improve the legal situation of Kyrgyz citizens in Russia, in 2018, 2019 and 2022, at the instance of the Kyrgyz side, Russia announced three immigration amnesties, which resulted in the removal of over 50,000 Kyrgyz nationals from the "blacklist".

126. Efforts are undertaken to transfer Kyrgyz citizens convicted abroad back to Kyrgyzstan: the number of persons transferred was 144 in 2019, 50 in 2020 and 63 in 2021.

127. The geographical reach of consular posts is expanding, with the opening of embassies in Italy and France, consulates general in Antalya and Chicago and four chanceries of the Embassy of the Kyrgyz Republic in the Russian Federation (in Surgut, Irkutsk, Yakutsk and Yuzhno-Sakhalinsk) and the appointment of honorary consuls in Armenia, the Russian

regions (Yuzhno-Sakhalinsk, Tomsk and Ufa), Kostanay in Kazakhstan, Georgia, Thailand, Germany, Hungary, Austria, Romania, Japan, Mongolia and the Republic of Korea. Russia is currently considering requests to open consulates general in Saint Petersburg and Kazan.

128. Embassies and consular posts cooperate with lawyers' organizations and have established a database of lawyers abroad in all the diplomatic missions of Kyrgyzstan. The diplomatic missions in Moscow, Korea, Tajikistan and Kazakhstan have signed memorandums with eight foreign bar associations, which provide free advice to Kyrgyz citizens.

129. They are provided with free legal advice and essential assistance on issues including civil registration, regularization, notary services, citizenship, the issuance of ordinary and internal passports and driving licences, administrative, civil and criminal proceedings, document disclosure, body repatriation expenses and return to Kyrgyzstan.

130. The Ministry of Foreign Affairs makes every effort to improve the protection of the rights and interests of Kyrgyz citizens abroad, reduce the legal hurdles to their stay and simplify and optimize the provision of public services in the diplomatic missions of Kyrgyzstan, including through digitalization.

131. Most objectives for the improvement of the legal framework and the development of practical measures to introduce digital technologies into the provision of consular services have been met. This has resulted in considerable simplification of the documentation procedures for citizens in the diplomatic missions of Kyrgyzstan, the introduction of new information technologies to digitize a number of services and the reduction of fees for consular services, which has improved the quality and quantity of the services provided and significantly reduced the amount paid by citizens to receive them. Depending on the type of consular service, fees have been lowered by between 40 and 80 per cent.

132. The introduction of information technology systems has led to increased service coverage for Kyrgyz citizens abroad. In the first 10 months of 2022 alone, the diplomatic missions provided 137,028 consular services to Kyrgyz citizens. By contrast, approximately 136,667 consular services were provided in 2021.

133. In accordance with article 7 of the Labour Code, the Code itself, along with other laws and regulations containing employment and labour law rules, applies to foreign nationals and stateless persons working in organizations located in Kyrgyzstan, unless otherwise provided by national law or an international treaty.

134. Laws and regulations containing employment and labour law rules also apply to the employees of organizations located in Kyrgyzstan and founded or wholly or partially owned by foreign nationals or legal entities (including the subsidiaries of transnational corporations), unless otherwise provided by law or an international treaty to which Kyrgyzstan is a party.

135. Since the accession of Kyrgyzstan to the Treaty on the Eurasian Economic Union, Kyrgyz citizens working in Russia have obtained a number of privileges. For example:

- Employers may recruit migrant workers without regard to restrictions in place to protect the national labour market (quotas).
- Migrant workers do not need a permit to work in the States members of the Eurasian Economic Union.
- Migrant workers and their family members are exempt from registration with the competent local authorities for 30 days after their entry to the country.
- Migrant workers and their family members have temporary residence for as long as the worker's employment contract is valid.
- If the employment contract is prematurely terminated more than 90 days after the date of entry, the migrant worker may enter into a new employment contract within 15 days, including with a different employer, in accordance with the terms and conditions established in law.
- Educational qualifications issued by educational institutions in Kyrgyzstan are recognized without any validation procedure, with the exception of teaching, legal, medical and pharmaceutical qualifications.

- Employees' seniority counts towards the qualifying period for social security entitlements other than pensions, in line with the legislation of the State of employment.
- The children of a migrant worker living with the worker are entitled to attend preschool establishments and receive education in line with the legislation of the State of employment.
- States members of the Eurasian Economic Union provide workers and their families with free emergency health care.

136. In addition, the Ministry of Labour, Social Security and Migration has established an office in the Russian Federation with a mandate to protect the legal rights and interests of Kyrgyz citizens in Russia. The office currently has 11 staff members. The State budget set aside 15.1 million soms for the activities of this office in 2022 and 44.2 million soms in 2023.

137. Protection of the rights and interests of Kyrgyz citizens is also a core area of work for the Ministry of Foreign Affairs and diplomatic missions of Kyrgyzstan. Citizens are provided with all necessary assistance, not only while they are abroad but also within Kyrgyzstan for matters relating to stays outside the country. Kyrgyzstan has embassies in 30 countries to protect the rights of citizens abroad and provide them with services and assistance.

138. By Presidential Decree No. 4 of 29 January 2021 on the adoption of measures to improve the migration situation, instructions have been given to increase efforts to protect the rights and interests of migrant workers abroad and to continuously provide information and advice using modern digital technologies in order to improve their situation.

139. The Ministry of Foreign Affairs consistently makes every effort to improve the protection of rights and interests of Kyrgyz citizens abroad, reduce the legal hurdles to their stay and simplify and optimize the provision of public services in the diplomatic missions of Kyrgyzstan.

140. The following services offered by the Ministry of Foreign Affairs and the diplomatic missions of Kyrgyzstan have been digitalized:

- The preparation and issuance of national passports, through the automated information system for passport services
- The issuance of emergency travel documents for return travel to Kyrgyzstan, through the automated information system for emergency travel documents
- The civil registration of births, marriages, divorces, deaths and name changes, through the automated information system for civil registration
- The issuance of social and legal certificates, such as certificates of legal capacity to marry, police records, tax liability statements, authentication of driving licences and higher education qualifications and notification of departure (certificate of deregistration of residence in Kyrgyzstan)
- The "Discovery" automated information system for requesting or authenticating official documents
- Consular registration at a diplomatic mission of Kyrgyzstan, through the automated information system for consular registration
- The preparation and issuance of driving licences, through the automated information system for drivers' registration
- Development and introduction of the electronic portal for consular services and its integration with the Kyrgyz Consul mobile application
- The "Nationality" automated information system involving the adoption and implementation of the relevant nationality laws and regulations in Kyrgyzstan
- Completion of the connection of diplomatic missions of Kyrgyzstan to the e-notary information system
- Reissuance of civil registration documents (for births, marriages, divorces, deaths and name changes), with inclusion in the single register of public services and the approval of standards and consular service rates

141. Government Decision No. 169 on measures to cover expenses relating to the repatriation of bodies of Kyrgyz citizens was adopted on 23 April 2021 and entered into force on 15 May 2021.

142. Two products adapted to the specific needs of migrants, namely the “Discovery” management information system and the Kyrgyz Consul mobile application, were developed between 2018 and 2021. This allowed for expanded access to consular and other public services for Kyrgyz citizens abroad, including migrant workers, enabling them to receive essential documents and services in their countries of destination. Since the system will be interlinked with the Tunduk system, diplomatic missions and consulates of Kyrgyzstan will be able to fulfil the requests of Kyrgyz citizens registered with the relevant management information systems operating within the country, such as the State Registration Service, for the issuance of passports, the Ministry of Internal Affairs, for copies of police records, and many other services.

143. In 2021, the United Nations Development Programme and the International Organization for Migration provided the Central Commission for Elections and Referendums with technical assistance to conduct information campaigns among migrants outside the country in order to allow them to vote. This helped reinforce trust between the diaspora and the Commission and raise awareness of the right to vote among migrants. Ultimately, the number of registered voters abroad was tripled.

144. Under national legislation, foreign nationals and stateless persons in Kyrgyzstan have the same labour rights as Kyrgyz citizens. However, in view of international developments in employment relations, discussions on the protection of migrant workers’ rights are ongoing. The Migration Policy Framework provides for a number of measures to ensure fair recruitment and facilitate the protection of employees’ interests. For example, the concept of “electronic employment contract” has been added to the Labour Code. Other planned measures are intended to create favourable conditions for training, increase employment in various economic sectors, create jobs, ensure decent wages for the population in accordance with the needs of the national economy and reduce gender segregation in the labour market. Efforts are also under way to reduce informal employment, i.e. involving an employment agreement that is not put down in writing.

145. As part of work to protect labour rights and the rights of migrant workers, Solidarity Centre is supporting the trade union system and taking action to build capacity among government agencies and non-governmental organizations.

146. In accordance with article 98 of the Treaty on the Eurasian Economic Union, workers from States members of the Union and their families receive social security and social insurance other than pensions under the same terms and conditions as citizens of the State of employment.

147. Working citizens of Kyrgyzstan and of other States members of the Eurasian Economic Union receive social support in the form of temporary disability benefits and maternity benefits on an equal footing, in accordance with the provisions of national legislation.

148. Government Decision No. 434 of 18 September 2018 on the regulations for granting temporary disability and maternity benefits applies to workers who are Kyrgyz citizens, citizens of States parties to international agreements that have entered into force in accordance with the legally established procedure and to which Kyrgyzstan is a party and foreign nationals and stateless persons working in Kyrgyz companies, organizations and institutions with all forms of ownership and areas of activity, in accordance with national legislation.

149. On 11 January 2021, the government decision on measures to implement the Employment Promotion Act was amended to add a procedure for the registration of citizens as unemployed or looking for work.

150. Under this procedure, persons who are out of work or have no income and are looking for suitable work (unemployed persons) are helped to find work upon application to the local branch of the competent government agency for employment promotion in the place of residence or stay of the unemployed person.

151. To register as a person looking for work, the unemployed person must submit the following documents to the local branch of the competent agency:

- A passport or identity card, for Kyrgyz citizens
- A residence permit, for foreign nationals who are permanent residents of Kyrgyzstan
- A refugee card, for persons with official refugee status
- A *kairylyman* certificate, for ethnic Kyrgyz returnees (*kairylyman*)
- A military identification card, for persons discharged from the armed forces who have no work-record book
- A work-record book or documents containing evidence of an employment history
- Proof of professional qualifications

152. Persons looking for their first job (who have never worked) and do not have a profession or specialization must submit their passport or other identity document and educational certificates, if any.

153. In addition to the above-mentioned documents, persons with disabilities must submit a certificate from the medical and social assessment board.

154. According to the regulations on the procedure, conditions and terms of payment of unemployment benefits, approved by Government Decision No. 208 of 12 April 2016, a prerequisite for the calculation and payment of unemployment benefits is the registration of unemployed persons with the local branch of the competent government agency at the place of residence or place of stay in order to search for suitable work. Citizens recognized as officially unemployed in accordance with the established procedure have the right to receive unemployment benefits if they have a continuous insurance contribution record of at least 12 months for the last 3 years before applying to the local branch of the competent government agency.

155. Unemployment benefits are paid to officially unemployed person on the basis of data verification by electronic exchange of information through the interdepartmental electronic communications system.

156. Once a foreign national is registered as officially unemployed, he or she has the right to participate in active and passive labour market measures, in vocational training, retraining and advanced training, in paid community service and in receiving unemployment benefits in the same manner as Kyrgyz citizens.

157. HIV tests are voluntary and, upon request, each person is given a certificate of HIV status. However, it should be noted that, in order to obtain a work permit, foreign workers must provide a medical report with the results of an HIV antibody test issued by the National AIDS Centre.

158. At the same time, Government Decision No. 225 of 16 May 2011 streamlined the procedures for initial and periodic medical examinations with a view to preventing the occurrence and spread of infectious and occupational diseases among persons employed in the production, storage, transport and sale of foodstuffs and drinking water, the education of children and municipal and consumer services. In accordance with that decision, medical examinations are carried out depending on the specific character of the work.

159. According to the Programme of State Guarantees for the Provision of Citizens with Health Care of 2015, emergency medical care is provided to all citizens free of charge until the patient's life and health are no longer threatened, including the provision of medicines and medical devices. Emergency medical consultations are provided round-the-clock and without delay to all citizens under treatment in health-care facilities.

160. Further medical care for foreign nationals is provided in accordance with Government Decision No. 346 of 15 June 2000 on medical care for foreign nationals.

161. Thus, as of October 2022, 9,002 citizens temporarily staying in the Kyrgyzstan were registered in facilities providing primary health care, while 3,947 applied for and received medical care from 1 January to 13 November 2022. In 2021, 8,685 citizens were registered and 3,605 citizens received medical care.

162. In 2020, a new version of the Civil Registration Act was adopted, providing for the registration of births of all children born in Kyrgyzstan, regardless of the legal status of the child's parents and whether they have valid identity documents. State registration of births of children of foreign citizens is carried out on the same basis and under the same conditions as children of Kyrgyz citizens.

163. Under article 13 of the Act, in the event that a parent or parents do not have identity documents, the State registration of the birth of the child is to be carried out by drawing up a record of birth and issuing a copy of the record.

164. This copy has the force of a document giving entitlement to social and medical services until such time as identification documents are provided by the parents or parent. A child's birth certificate is issued upon presentation by the parents, or parent, of documents attesting to their identities; State registration of the fact of a child's birth is carried out in respect of children under 1 year of age.

165. All correspondence on the execution of requests for documents is made in accordance with the Conventions on Legal Assistance and Legal Relations in Civil, Family and Criminal Matters, signed by the States members of the Commonwealth of Independent States in Minsk on 22 January 1993 and in Chisinau on 7 October 2002.

166. The number of registered births of children of international migrants from 2016 to 2021 is as follows:

- 37,556 in 2016
- 39,439 in 2017
- 43,241 in 2018
- 44,404 in 2019
- 41,092 in 2020
- 41,308 in 2021

167. State registration of civil status records of Kyrgyz citizens residing outside the country is performed by diplomatic missions and consular offices of Kyrgyzstan.

168. Acquisition of Kyrgyz citizenship by birth is carried out in accordance with the Citizenship Act and persons are identified as Kyrgyz citizens in accordance with the regulations on the procedure for consideration of issues of citizenship of the Kyrgyz Republic, approved by a presidential decree. The country's interregional departments work to determine whether persons are Kyrgyz citizens and process documents on obtaining Kyrgyz citizenship on a permanent basis.

169. The number of foreign nationals who were granted Kyrgyz citizenship from 2016 to the first nine months of 2022 is as follows:

- 6,003 in 2016
- 4,793 in 2017
- 2,620 in 2018
- 4,096 in 2019
- 3,757 in 2020
- 3,990 in 2021
- 7,203 in the first nine months of 2022

170. The number of children who were granted Kyrgyz citizenship from 2016 to the first months of 2022 is as follows:

- 775 in 2016
- 647 in 2017
- 386 in 2018
- 479 in 2019

- 569 in 2020
- 1,119 in 2021
- 1,511 in the first nine months of 2022

171. It should be noted that, the Government of Kyrgyzstan, since 2014, as part of the global campaign to combat statelessness, together with UNHCR, has identified more than 13,700 stateless persons and persons with undetermined citizenship, including more than 2,000 children. Most of them were assisted in resolving their situations of statelessness through birth registration or confirmation or acquisition of citizenship. As a result of this work, they are now fully fledged Kyrgyz citizens.

172. In this context, it is worth mentioning that, in 2019, UNHCR and the United Nations Children's Fund (UNICEF) recognized Kyrgyzstan as the first country in the world to resolve statelessness.

173. In addition, the Coordinating Council on Human Rights attached to the Cabinet of Ministers considered at a meeting the question of the country's accession to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness. As a result of the meeting, it was decided that it is premature and inadvisable for Kyrgyzstan to accede to these Conventions (Protocol No. 1 of 29 March 2022).

174. Kyrgyzstan does not prevent foreign nationals and stateless persons from transferring their earnings and savings and exporting their personal property and belongings. Today, in accordance with national legislation, it is possible for individuals to make peer-to-peer payments using:

- Money transfer systems without opening a bank account by presenting a passport to the bank
- Payment systems by charge cards if an individual has them
- Mobile applications provided by banks for remote customer service

175. As of 17 November 2022:

- 22 commercial banks provide services to all destinations for peer-to-peer payments
- 14 international money transfer systems for making transfers without opening an account and 7 international payment systems for settlements using charge cards were registered with the National Bank

176. Commissions and fees for banking services are independently established by persons providing such services, in accordance with article 11 (1) of the Banks and Banking Activity Act.

177. The Ministry of Labour, Social Security and Migration regularly provides counselling to guest workers seeking employment and to foreign specialists themselves on the procedure for obtaining work permits in the country. The necessary information on this issue is also available on the Ministry's official website. More than 2,000 people receive counselling each year.

178. Since the beginning of 2022, the State service of issuing work permits to foreign nationals and stateless persons has been provided through the Electronic Work Permit portal (ework.e-gov.kg).

179. The Employment Centre for Citizens Abroad is in operation to ensure that migrants are provided with timely information and migration processes are regulated, and to create an effective mechanism in the system of government that is capable of responding adequately to changes in domestic and traditional external labour markets, to quickly provide jobs for unemployed citizens and to protect their rights. One of the main areas of work of the Centre is providing citizens with information and advice on issues involving international labour migration.

180. All the necessary information, including on the main host countries, is available at the Centre and on its official website (<https://migrant.kg>). In 2021, 8,112 people applied for services and received counselling at the Centre and 44,683 people in the first nine months of 2022. The number of visitors to the website exceeds 10,000 per month.

Public services at the Centre

	2018	2019	2020	2021	2022 (9 months)
Number of consultations on migration issues	44 694	62 830	18 001	28 112	44 683
Number of employed Kyrgyz citizens abroad	8 258	7 618 (including 724 (including 239 persons with the assistance of private employment agencies)	3 254 (including 239 persons with the assistance of private employment agencies)	4 011 (including 254 persons with the assistance of private employment agencies)	8 633 (including 6 394 persons with the assistance of private employment agencies)

181. In addition, all the necessary information on the rules for entering Kyrgyzstan and obtaining the relevant permits is available on the official website of the Ministry of Foreign Affairs (<https://mfa.gov.kg>).

182. Furthermore, Kyrgyz citizens have access to more than 130 public services in digital format through the State Portal of Electronic Services (<https://portal.tunduk.kg>).

183. Moreover, the procedures of pre-departure training and awareness-raising of citizens for the State body providing assistance in employment abroad are regulated by Government Decision No. 303 of 3 June 2014 on the approval of standards of public services provided to individuals and legal entities by State bodies and their branches and agencies.

184. Under the above-mentioned government decision, section II, entitled “Social affairs”, chapter 10 (Assistance in employment abroad for citizens of the Kyrgyz Republic seeking work under State programmes and intergovernmental and other official agreements), in accordance with international treaties and agreements, individual pre-departure preparation procedures and time frames are to be established (reviews of documents, language and professional training, foreign language tests, medical examinations and visa support) and pre-departure training is to be given in accordance with the Handbook on Pre-Departure Training of Migrant Workers from the Kyrgyz Republic, approved by the Ministry of Labour, Social Security and Migration.

185. In addition to the Centre, in accordance with Kyrgyz law, 136 employment agencies provide employment services to citizens in 20 countries around the world.

186. The procedure for organizing activities of legal entities and individuals to assist in the employment of Kyrgyz citizens abroad is governed by the regulations on the procedure for the implementation of activities for the employment of citizens of the Kyrgyz Republic abroad, approved by a government decision on 16 April 2019, in accordance with the International Labour Migration Act.

187. Under the Act, employment activities abroad must be carried out on the basis of permits issued by the competent migration agency.

188. The Centre monitors the work of the private employment agencies. Information on employed citizens is sent by the agencies to the Centre on a quarterly basis.

189. In accordance with paragraph 22 of the above-mentioned regulations on the procedure for employment of Kyrgyz citizens abroad, private employment agencies engaged in employment of Kyrgyz citizens abroad, prior to the departure of workers from the Kyrgyzstan, conduct free pre-departure training of workers, the programme of which is approved by the competent agency and includes information sessions on the following:

- Kyrgyz law on international labour migration
- The procedures for entry to and exit from the State of employment
- The provisions of the law on labour relations in the State of employment
- The need for temporary or permanent consular registration at diplomatic missions or consular posts of the Kyrgyzstan in the State of employment
- The location and telephone numbers of the competent agency and the migration hotline

- The location and telephone numbers of the diplomatic missions or consular posts of Kyrgyzstan, or both, (if any) in the State of employment
- International organizations or institutions for the protection of employees' rights, freedoms and legitimate interests
- The sociocultural characteristics of the State of employment
- The existing risks associated with trafficking in persons and labour, sexual and other types of exploitation
- The location and telephone numbers of Kyrgyz diaspora communities (if any) in the State of employment

190. The Centre regularly works with the Ministry of Internal Affairs to crack down on the employment of citizens abroad without the appropriate permit.

191. Since the beginning of the year, 10 cases of illegal employment of Kyrgyz citizens abroad have been brought to light, and the private employment companies involved have received administrative penalties.

192. In 2022, 26.5 million soms were allocated from the State budget to finance the activities of the Centre.

193. The Trade Unions Act provides that citizens aged 14 years or over who are in employment or studying at an educational institution, and also pensioners, have the right to establish a trade union voluntarily, if such is their choice, or to join one, on condition that they comply with its statutes.

194. Trade unions may be set up at enterprises, institutions and organizations, regardless of their form of incorporation, provided that they have three or more employees. Their representative bodies are committees or trade union leaders elected at trade union meetings (conferences).

195. An interdepartmental expert group was established pursuant to a presidential decree of 8 February 2021 on the conduct of a review of Kyrgyz legislation to take full stock of national policies, strategies, programmes and laws in various areas to ensure that they comply with the new Constitution.

196. In this context, the Trade Unions Act is being revised to bring it into line with the new Constitution and the ILO Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the ILO Right to Organise and Collective Bargaining Convention, 1949 (No. 98).

197. The proposed law introduces amendments aimed at providing a legislative framework for the constitutional right of everyone to freedom of association (art. 36). It seeks to establish the right of citizens residing outside Kyrgyzstan to belong to trade unions. It contains a provision to allow foreign nationals and stateless persons to belong to trade unions as well, except in cases established by law. It also aims to establish equality of all trade unions.

198. With respect to voting rights, the following measures have been implemented as part of the Strategy to Improve Election Laws for 2018–2020:

(1) Consular registration is no longer required for Kyrgyz citizens residing or staying abroad to be included in the register of voters. Previously, consular registration was a prerequisite for getting on the register. In addition, the legality of a person's stay (work permits, study permits, etc.) had to be confirmed in order to be placed on the consular register.

199. Today, priority is given to the application for inclusion in the register of voters, without the requirement of consular registration, but, for the sake of credibility, when an application for inclusion in register of voters is received, the voter is automatically placed on the consular register for the election term or for the term specified in the application.

(2) The conditions for consular registration have been simplified, as follows:

- Consular registration can be done by post.
- Consular registration is free.
- The set of documents required for consular registration has been kept to a minimum.

200. Currently, it is necessary to submit an application and a copy of the passport for consular registration. The procedure can also be done electronically, by sending the documents to the official email address of the consular posts of Kyrgyzstan.

201. Improvement of the legal status of migrant workers within the Eurasian Economic Union has also had a favourable impact on voter participation of Kyrgyz citizens abroad, as follows.

- (3) The general conditions for voter participation have been improved.
 - The register of voters is posted on the official Tizme voter registration website, which updates the register on a daily basis during electoral periods and once a month between elections.
 - The deadline for updating the register of voters has been increased from 45 to 65 days.
 - Opportunities for citizens to submit applications have been expanded, not only at the district election commissions but also electronically, with identification or authorization, in accordance with the law (in the “Voter Room” section on the Tizme website and through the State services portal).

202. The Central Commission for Elections and Referendums has mounted a major awareness campaign to facilitate the free expression of the will of citizens and transparency of elections. The campaign included all participants in the election process, including Kyrgyz citizens abroad.

203. The official source of information is the Commission website (www.shailoo.gov.kg), which has a “Voting Abroad” module to keep voters abroad informed about all electoral processes.

204. The awareness campaign to facilitate the free expression of the will of citizens and the transparency of elections covers a wide range of participants in the electoral process, including Kyrgyz citizens abroad. Print and video materials have been distributed through the media and social networks, over 10,000 copies of brochures, posters, leaflets have been published, and information and training videos have been produced.

205. Online meetings have been organized with citizens living and staying outside the Kyrgyzstan and with representatives of diasporas and voluntary associations of Kyrgyz citizens abroad. The platform for online meetings that has been established has made it possible to communicate information quickly and directly on electoral processes to voters outside Kyrgyzstan.

206. With a view to involving a broader range of Kyrgyz citizens, including those temporarily staying or residing in Russia and Kazakhstan, the Commission call centre has launched a free hotline that provides advice to all those interested in the election process and its procedures.

207. Mobile teams composed of representatives of the Central Commission for Elections and Referendums, the Ministry of Digital Development and the Ministry of Foreign Affairs have travelled to places of stay of Kyrgyz nationals abroad according to an established schedule to facilitate the consular registration procedure, registration of biometric data and collection of applications for digital signature.

208. The teams have also conducted an extensive awareness campaign about the elections, changes in legislation, the inclusion of citizens in the register of voters, the number of polling stations abroad, etc.

209. The teams work has led to a significant increase in the number of voters registered abroad. Accordingly, more Kyrgyz citizens living abroad were able to exercise their electoral rights.

210. In addition, the rule was introduced that polling stations may be established on the proposal of the Ministry of Foreign Affairs, in coordination with the relevant authorities of the host country, not only on the territory of diplomatic missions or consular posts but also at the representative offices of State bodies of Kyrgyzstan abroad. Previously, polling stations could be located only on the territory of diplomatic missions or consular posts of Kyrgyzstan.

211. Thanks to this rule, there is a real opportunity to increase the number of polling stations abroad, in places with the greatest concentration of Kyrgyz citizens.

212. At the elections to the Zhogorku Kenesh on 28 November 2021, for example, the number of polling stations abroad increased from 45 to 59 (in 29 foreign countries) compared to the parliamentary elections of 2020, while the number of voters outside Kyrgyzstan increased from 32,602 to 84,128.

213. In this regard, it should be mentioned that, in accordance with the Constitutional Act on Presidential Elections and Elections to the Zhogorku Kenesh, citizens who have reached the age of 18 have the right to elect and, upon reaching the age established by the Constitution and this constitutional law, to be elected to central and local government bodies.

214. Rights may be restricted only in respect of persons declared by a court as having no dispositive capacity or detained in places of deprivation of liberty under an enforceable judgment, and persons whose criminal record has not been expunged in accordance with the procedure established by law.

215. A citizen who does not have nationality of a foreign State, is at least 35 years of age and not older than 70, who speaks the official language and has lived in Kyrgyzstan for at least 15 years may be elected President.

216. A citizen who has reached the age of 25 on the day of elections, has the right to vote and has higher professional education, and a member of the local community of the respective territorial unit who has reached the age of 21 and has at least secondary general education may be elected as a deputy of the Zhogorku Kenesh.

217. In this context, domestic electoral law does not limit residency requirements to candidates for deputy to the Zhogorku Kenesh and the local councils of Kyrgyzstan.

218. Particular attention should be paid to the Act No. 119 of 7 April 2009, the Culture Act, which guarantees support for the development of cultural and ethnic societies, communities, centres, and educational and other organizations and institutions established outside the country to meet the spiritual and cultural needs of Kyrgyz. For this purpose, the Ministry of Culture, Information, Sport and Youth Policy is working with foreign missions of Kyrgyzstan and voluntary associations of the Kyrgyz diaspora abroad. In particular, cultural and humanitarian activities are organized at the State level and at the level of Kyrgyz ethnocultural associations.

219. The Ministry of Education and Science is working with relevant ministries and departments of foreign countries on an ongoing basis to develop new intergovernmental and inter-agency agreements and the allocation of quotas for free education of Kyrgyz citizens. Thus, at the moment, agreements have been reached to increase the number of places in the universities of some countries; in particular the number of quotas for places in Russia was increased from 500 to 750, in Hungary from 150 to 200 and in Kazakhstan from 5 to 50. Also under the Treaty on the Eurasian Economic Union, citizens have equal access to educational institutions on an equal basis with residents of the country members of the Union.

220. In addition, work is under way to establish cooperation with the relevant ministries and departments of Poland, Czechia, Croatia, Italy, Sweden, Türkiye, the United Arab Emirates, Saudi Arabia, Qatar, South Korea and others to allocate quotas for free education of Kyrgyz citizens.

221. In order to provide children of migrants in other countries with textbooks and fiction, a digital library (kitep.edu.gov.kg) has been developed, where electronic versions of 537 digitized textbooks are publicly available. The library contains an additional thousand printed books and works of fiction for use.

222. In addition, there is a repository of electronic textbooks and teaching materials (<http://www.lib.kg>), where about 400 textbooks and teaching aids are available.

223. To support the educational process in primary and secondary schools, online and offline versions of the iBilim and Bilim Bulagy courseware have been created.

224. The iBilim website contains modules for primary school pupils on the following subjects: English, mathematics, art, music, natural science, Kyrgyz and Russian.

225. The Bilim bulagi website contains modules for secondary and upper secondary school students on the following subjects: chemistry, physics, biology, history, English, geography, mathematics and literature.

226. In addition, the website of the National Commission on the State Language and Language Policy in the Office of the President (<http://www.mamtil.kg>) has made electronic versions of recently published dictionaries, fiction and poetry published, and audio and video content for teaching the State language publicly available.

227. According to the International Migration Act, the entry of foreign nationals and stateless persons into Kyrgyzstan for the purposes of family reunification or a family visit constitutes grounds for extending visas.

228. In accordance with the International Labour Migration Act, migrant workers have the right to invite members of their family to live with them, provided that they have housing conditions that meet the requirements for living quarters established by law in the State of employment and have adequate means to support their family members.

229. In accordance with article 33 of the Act, an immigrant's parents, spouse and children under the age of 18 or adult children having no dispositive capacity enjoy the right to immigrant status (permanent residence permit in Kyrgyzstan). In the event of the death of a migrant worker with immigrant status, members of his or her family have the right to a residence permit in Kyrgyzstan.

230. The number of foreign nationals who received permanent or temporary residence permits in Kyrgyzstan between 2016 and the first nine months of 2022 is as follows:

- 264 with permanent and 13 temporary residence permits in 2016
- 389 permanent and 7 temporary in 2017
- 257 permanent and 10 temporary in 2018
- 228 permanent and 3 in 2019
- 95 permanent and 3 in 2020
- 201 permanent and 3 temporary in 2021
- 91 permanent and 1 temporary in the first nine months of 2022

231. The number of foreign nationals and stateless persons registered at the place of stay in Kyrgyzstan between 2016 and the first nine months of 2022 is as follows:

- 230,764 in 2016
- 220,598 in 2017
- 498,811 in 2018
- 628,935 in 2019
- 332,854 in 2020
- 545,491 in 2021
- 493,983 in the first nine months of 2022

232. Cabinet of Ministers Decision No. 221 of 14 April 2022 on measures to ensure the registration of goods traded with States members of the Eurasian Economic Union when imported into the Kyrgyz Republic approved the list of goods and recommended minimum standards for the import of goods for which no mandatory processing of shipping documents (consignment note, invoice) is required, transported by individuals through points of registration of goods within the framework of trade with Union member States and imported into Kyrgyzstan for personal use, which is posted on the official website of the State Tax Service for public use. Such goods are not subject to taxation.

233. One of the problems of the pension system in Kyrgyzstan is the high level of labour migration of the working-age population. According to various estimates, more than 11.64 per cent of the total population of the country work and live in other countries. Therefore, their income is not registered and they do not make contributions to the State social insurance system and thus will not be able to receive a pension in the future.

234. The overwhelming majority of Kyrgyz citizens are employed in countries that are members of the Union (with 83.5 per cent in the Russian Federation, 4.3 per cent in Kazakhstan and 3.2 per cent in Türkiye, or a total of 91 per cent in these countries).

235. In this regard, the Social Fund is actively engaged in making pension arrangements for Kyrgyz citizens working in other countries.

236. The Treaty on Social Security between the Government of the Kyrgyz Republic and the Government of the Republic of Türkiye and the Administrative Arrangement on the Implementation of the Treaty, which was signed on 9 April 2018 in Ankara and came into force on 1 November 2020, establishes equal rights for the citizens of the two countries in the area of pensions and social security (temporary disability benefits, maternity benefits and allowances for funeral expenses).

237. On 1 January 2021, the Agreement on Pension Provision for Workers of the States Members of the Eurasian Economic Union (hereinafter the Eurasian Economic Union Agreement) of 20 December 2019 came into force, whose main objective is to establish the pension rights of workers of the Union member States under the same conditions and in the same manner as the citizens of the State of employment. In addition, Decision No. 122 of 23 December 2020 of the Council of the Eurasian Economic Commission, approved the procedure for cooperation between the State bodies, the competent authorities of the States members of the Union and the Commission on the Application of the Rules of the Eurasian Economic Union Agreement.

238. In accordance with the Memorandum of Cooperation between the Social Fund and the National Pension Service of the Republic of Korea on pension benefits paid by the National Pension Service of the Republic of Korea, approved by Government Order No. 579 of 2 December 2015, a lump-sum payment is made for pension savings (insurance contributions and income received as a result of their investment) built up and not claimed by Kyrgyz citizens during the period of work in the Republic of Korea.

239. Currently, draft agreements on pensions have been sent to Japan and Germany for approval.

240. In addition, draft inter-agency international cooperation agreements were sent for consideration to the Islamic Republic of Iran, Kuwait, Ukraine, Georgia, Austria, Italy, Lithuania, the Republic of Korea and Azerbaijan.

241. These draft bilateral agreements on pensions provide for the creation of equal conditions in terms of pension rights and obligations for the citizens of the two countries and the conditions for determining the length of service in the two States in order to calculate pensions.

242. Kyrgyzstan and the Republic of Moldova have agreed to conclude a social security agreement and a draft of that agreement is currently being prepared for submission to the Moldovan side.

243. Furthermore, in order to provide social protection for migrant workers, taking into consideration globalization processes that facilitate the free movement of labour, the Cabinet of Ministers of Kyrgyzstan and the Government of Uzbekistan have agreed to enter into an agreement on pensions and an administrative arrangement for its implementation.

244. The Social Fund has sent a draft agreement to the Uzbek side through diplomatic channels following negotiations on it.

245. On 11 October 2022, a protocol on cooperation on compulsory State social security was signed between the Fund and the Ministry of Labour and Social Protection of Azerbaijan.

246. In accordance with article 7 of the protocol, it will enter into force from the date of receipt by the Kyrgyz party through diplomatic channels of written notification by the Azerbaijani party of the completion of the domestic procedures necessary for its entry into force.

247. If the other parties express an interest, the Social Fund will start work on the development of bilateral international agreements on pension provision, which will provide for the creation of equal conditions in terms of pension rights and obligations for citizens of the two countries and the creation of conditions for determining the length of service in the two States in order to calculate pensions.

248. Kyrgyz often turn to Kyrgyz entrepreneurs flying to Kyrgyzstan to send remittances to their home country. In addition, a clearing system is used when money is transferred to pay for goods or services in both directions (or example, in the United Arab Emirates, the Russian Federation or the United States of America). In addition, the amount of the bank fee increases in proportion to the amount of the transfer. Losses due to exchange rate differences in bank transfers are a major problem. For sending small sums, Kyrgyz use systems such as Unistream, Zolotaya korona, Contact, Ria and Western Union.

249. In accordance with the International Labour Migration Act, migrants need a work permit to work in Kyrgyzstan. Migrant workers arriving in Kyrgyzstan must be duly registered with the competent government agency responsible for registering the population and its local branches at the place of their temporary residence and hotels, except in cases provided for by Kyrgyz law. Foreign nationals and stateless persons arriving in Kyrgyzstan for work, including on a self-employed basis, are registered for the period of validity of the work visa. Foreign nationals benefitting from a visa-free regime are registered for the period of the validity of the work contract or work permit issued by the competent migration authorities, or for a period of one year in the case of business activity carried out by nationals of States members of the Eurasian Economic Union.

250. Thus, foreign nationals who have a work visa and are registered at the place of residence are not required to obtain a residence permit.

251. In accordance with the International Migration Act, foreign nationals or stateless persons arriving in Kyrgyzstan for a period exceeding six months may obtain a temporary residence permit in accordance with this Act.

252. The provisions of Kyrgyz law on international migration and the issue of residence permits do not contradict the provisions of the Convention. Foreign nationals or stateless persons staying in Kyrgyzstan may apply for an extension of their visa, residence permit and work permit.

253. In accordance with Kyrgyz law, a migrant worker has the right to engage in a remunerated activity of his or her choice, which he or she freely chooses or accepts, including the right to make use of his or her professional skills and to choose a profession or trade. Migrant workers have the right to carry out their activities both individually and in an organization with which they have concluded an employment contract. Furthermore, forced labour and employment discrimination are prohibited.

254. The State promotes the exchange of labour between the border areas of Kyrgyzstan and neighbouring States for the sake of developing economic, scientific, technical, cultural and educational ties.

255. Since 2017, Kyrgyzstan has introduced the Unified International Migration Registration System, which allows for the registration and control of persons and vehicles crossing the Kyrgyz border to enter or exit from the country, the issuance of visas and work permits and temporary and permanent residence permits to foreign nationals and stateless persons, and the registration of foreign nationals and stateless persons at the place of stay or residence in Kyrgyzstan. The introduction of this system has led to faster data exchange, increased security at checkpoints and better monitoring and control of the movement of people at border crossings.

256. One of the factors contributing to illegal migration and posing a threat to border security is circular labour migration, especially in the south of Kyrgyzstan. To resolve this issue, a legal framework was established and draft regulations on the procedure for the temporary employment of citizens of neighbouring States in border areas were developed. In 2020, the Act on Amendments to Certain Legislative Acts of the Kyrgyz Republic (to the International Labour Migration Act and the International Migration Act) was adopted. These developments provide for a definition of the term “frontier migrant worker”, the imposition of fines on frontier migrant workers who violate the rules governing employment in Kyrgyzstan, the employment of frontier migrant workers in Kyrgyzstan on a permit basis and the promotion of workforce mobility in the border areas of Kyrgyzstan and neighbouring countries.

257. Frontier migrant workers engage in paid self-employment in Kyrgyzstan with the appropriate permit during the period of validity of the visa-free regime, in accordance with

Kyrgyz tax and international labour migration law and are not entitled to take on employees in the country. They are not subject to labour migration quotas.

258. Frontier migrant workers arriving in Kyrgyzstan for the purpose of self-employment are not required to obtain a work visa during the period of validity of the visa-free regime. Employers of frontier migrant workers may be natural persons who are entitled to employ them without the need to obtain permits from the authorized State migration authority, provided that the frontier migrant worker has a valid self-employment permit. Employers of frontier migrant workers cannot be legal entities or sole proprietors.

259. In addition, in order to ensure the secure development of border areas and the stable economic development of Batken Province, which is affected significantly by border conflicts, the Batken Province Special Status Act was adopted, which provides for measures to reduce emigration by according privileges, building infrastructure and strengthening measures to ensure citizens' security.

260. The Treaty on the Eurasian Economic Union established a single market within the Union for goods, services, capital and human resources.

261. Section 26 (Labour migration) of the Treaty together with the instruments of the Eurasian Economic Commission forms the basis of Eurasian Economic Union migration law. This section includes three articles that regulate migration:

- Article 96 (Cooperation between member States on labour migration)
- Article 97 (Employment of workers from member States)
- Article 98 (Rights and obligations of workers from member States)

262. Kyrgyzstan currently has an existing agreement with South Korea on the organized recruitment of citizens for the purpose of employment at the inter-State level under the Employment Permit System. Efforts are also under way to conclude State-level agreements on organized employment with Türkiye, Qatar, Japan and Azerbaijan.

263. It should also be noted that the Migrant's Handbook mobile telephone application, which was developed with the support of IOM, provides all of the information needed to remain safely in a country of employment.

264. In addition, the action plan for the implementation of the first phase of the Migration Policy Framework includes information campaigns to raise awareness about the risks of irregular migration and about safe migration, which will be carried out jointly with international partners.

265. In addition, the Insan-Leilek foundation has developed a specialized training module on safe migration together with the Solidarity Centre and the non-profit organization El Agartuu. In 2021, more than 250 schools in Kyrgyzstan worked with this module. Work began in 2022 to update the module to take account of issues of harassment and discrimination.

266. Efforts are currently under way to identify the impact and consequences of informal employment on migrant women working in Russia.

267. A study has been conducted which shows that 86 per cent of the women work on the basis of verbal agreements and 96.3 per cent of them have been sexually harassed by their employers. In connection with this, members of the Social Dialogue and Labour network, which includes 25 non-profit organizations from all regions of the country, conducted information campaigns in Kyrgyzstan and in Russia through the Migrants Trade Union to stop harassment and violence in the workplace.

268. In addition, under an outreach programme, relevant district departments of the labour and social development authorities hold regular meetings with the population for the purposes of consultation, providing information on employment-related matters and current vacancies abroad, preparing migrants and their families for safe migration and resolving problems; they also provide assistance with job placement through legal channels and migration services and distribute handouts.

269. In order to assist children in difficult circumstances, home visits to families are conducted in order to establish a database and take measures to protect children without parental care, including children of internal and international migrants. Awareness is also being raised among parents about the need to notify the social services of any forthcoming departure from the country and ensure that the necessary arrangements are made for the care of their children.

270. During the reporting period, efforts were made to establish the number of children in the country left with relatives, guardians and other persons, as a result of which 41,102 children were identified, including 12,720 internal and 28,382 international migrants. A total of 24,501 parents left to work in neighbouring and other foreign countries.

271. In addition, in accordance with the regulations on the procedure for determining the need of low-income citizens or families with children under 16 years of age for the monthly allowance (the *ui-bulogo komok* child benefit), approved by a government decision on 29 June 2018, families in which one of the parents works abroad, or outside their place of ordinary residence in the country, may be entitled to the monthly allowance.

272. During the school year, events are held at general educational institutions on a regular basis that are devoted to gender-based and domestic violence and the protection of children's rights, the registration of children from socially vulnerable families and work with the parent community as a whole and individually with the students' families.

273. Social workers identify children's interests, needs, difficulties and problems, conflict situations, behavioural issues and family characteristics, on the basis of which appropriate efforts are made to provide them with help.

274. Data from the social insurance cards ("social passports") of students in general educational institutions in Kyrgyzstan for the 2022/23 school year show 37,271 children from migrant workers' families who have social and educational support cards.

275. As part of its efforts in relation to the employment of Kyrgyz citizens abroad, the Employment Centre for Citizens Abroad in the Ministry of Labour, Social Security and Migration concludes agreements and memorandums with foreign countries, including the Republic of Korea, Russia, Türkiye and European and Persian Gulf countries.

276. Kyrgyz citizens employed under these agreements or memorandums have access to social protection systems and medical and other social services. Citizens are also assisted in returning to their home country when their employment contracts expire.

277. Taking into account that Kyrgyzstan is a country of origin, agreements and memorandums are primarily concluded with host countries on organized and legal employment of Kyrgyz citizens abroad.

278. In accordance with the Legal Status of Aliens Act of 14 December 1993, foreign nationals in Kyrgyzstan are equal before the law regardless of sex, race, language, disability, ethnicity, religion, age, political or other beliefs, education, origin, property or other status, or other circumstances, and are entitled to receive all basic services on equal terms with Kyrgyz citizens. Restrictions are imposed only on the right to vote, employment, land acquisition and military service.

279. As part of the implementation of the "Meken Card" initiative, Act No. 89 of 24 July 2020 on amendments to certain legislative acts on the legal status of compatriots with foreign citizenship amended the Land Code, the Legal Status of Aliens Act, the International Migration Act and the International Labour Migration Act and defined the rights, freedoms and obligations of compatriots with foreign citizenship. These amendments established provisions for the granting and termination of the status of compatriot, the procedure for the entry, residence and exit of compatriots and their employment on virtually equal terms with Kyrgyz citizens. In accordance with the Presidential Decree on Measures to Improve the Migration Situation, it was recommended that the Cabinet of Ministers finalize the adoption of regulations on the implementation of the national Meken Card initiative, under which compatriots with foreign citizenship who hold the card are permitted, on equal terms with Kyrgyz citizens, to freely enter and exit the country without a visa, to reside and work there without a residence permit and to receive educational, social and health services.

280. The Act on Health Care for Citizens of the Kyrgyz Republic was amended in 2020 to provide access to all health-care services to a new category of migrants, namely “compatriots with foreign citizenship”. This status may be granted to persons with foreign citizenship who previously held Kyrgyz citizenship, persons born in the Kyrgyz Soviet Socialist Republic or lineal descendants (children and grandchildren) of the above groups. This status cannot be granted to persons who hold citizenship of a neighbouring country.

281. Similar changes were made to the Education Act to provide migrant compatriots holding foreign citizenship with access to education and vocational training.

282. Under State exchange programmes, Kyrgyz citizens themselves have the opportunity to receive education in six countries. However, the majority of young applicants prefer to study in foreign educational institutions at their own expense.

283. More than 70,000 foreign nationals, of whom 63 per cent are from neighbouring countries, receive a higher education at 23 Kyrgyz higher education institutions. The majority of such students are from Uzbekistan (38,857), India (14,461), and Pakistan (9,758).

284. Under the Treaty on the Eurasian Economic Union, educational qualifications issued by educational institutions of the member States are recognized in the member States without going through the procedures for recognition of educational qualifications established by law in the State of employment. Migrant workers applying to work in the teaching, legal, medical or pharmaceutical fields must undergo the procedure for the recognition of educational qualifications established by the legislation of the State of employment and may accordingly be employed in teaching, legal, medical or pharmaceutical professions in accordance with the legislation of the member State.

285. In addition, the action plan for the implementation of the first phase of the Migration Policy Framework includes measures both to promote employment within the country and to organize job fairs for those wishing to find employment abroad, as well as measures to provide vocational training for returning migrants. The first International Online Job Fair for Foreign Employers was held on 29 September 2021. The fair was attended by 12 partners of the Employment Centre for Citizens Abroad, in particular representatives of private employment agencies and employers from the Russian Federation, the Republic of Korea, Japan, the United Arab Emirates and Türkiye, who gave presentations on their current vacancies and employment conditions.

286. As a result of the fair, more than 5,000 Kyrgyz citizens received information about available vacancies in a live broadcast on the website migrant.kg, on the partners’ website migrantspp.com and on YouTube. Following the event, 437 forms were submitted by citizens who expressed their intention to find employment abroad.

287. In addition, the above-mentioned action plan provides for an analysis with gender-disaggregated data and a register of citizens who have returned from labour migration and applied to local offices of the Ministry of Labour, Social Security and Migration, which will begin in 2023. This register will provide disaggregated data on returning labour migrants, which will in turn make it possible to assist returning migrants with reintegration by taking their basic needs into account.

288. With unemployment rates and job shortages rising, training for unemployed citizens is a priority. In this regard, taking into account the needs of the labour market in terms of certain occupations, employment services sent 5,440 unemployed citizens for vocational training in the first nine months of 2022, including 24 were returning migrant workers.

289. In addition, the Ministry of Labour, Social Security and Migration together with the German Agency for International Cooperation launched the Promotion of Employment and Vocational Qualification project in 2020, which aims to improve employment prospects in Kyrgyzstan, increase access to employment opportunities and tools that facilitate the employment of unemployed citizens in the local labour market and increase the economic activity of the local population, including returning migrants.

290. The project includes the following elements:

- Job placement (job seeker – employer)

- Skills development and vocational training
- Vocational guidance
- Participation in job fairs
- Advice on opportunities to start and run one's own business (information on concessional loans and grant programmes to support the private sector)
- Entrepreneurship training

291. Five pilot regions have been selected for the implementation of the project's activities: Ala-Buka district, Jalalabad (Jalalabad Province), Batken district (Batken Province), Nookat district (Osh Province), and Bishkek. The duration of the pilot is from 1 September 2022 until 28 February 2023.

292. Separately, it should be noted that, in 2021, 21 children abandoned in Russian medical institutions by their biological mothers of Kyrgyz nationality were repatriated to their home country. The return to Kyrgyzstan of 13 minors, including newborn infants, in addition to children of convicted Kyrgyz nationals in the Russian Federation, is currently under consideration.

293. In 2021, 84 homeless children of Kyrgyz nationality were identified in Moscow and taken to the Altufeyvo Social Rehabilitation Centre for Minors, a public institution in Moscow, where the minors are being provided with emergency social care. The institution provides temporary accommodation with full State support for children aged 3 to 18 years, in addition to assistance with their adjustment, social and psychological rehabilitation, medical care and education under relevant secondary general education programmes. In the first half of 2022, the Centre received 26 minors of Kyrgyz nationality, who were subsequently collected by their parents or legal representatives.

294. In 2021, two children from Kazakhstan and 79 children from Iraq who were detained with their mothers in prisons and specialized institutions in Baghdad were also returned.

295. Article 28 of the Constitution explicitly prohibits slavery and human trafficking in the country. In order to meet its international obligations and implement the standards contained in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, Kyrgyzstan has adopted a number of laws and regulations to prevent and combat trafficking in persons, including the Act on Preventing and Combating Trafficking in Persons of 17 March 2005. In 2018, the Act was amended to coordinate efforts to prevent and combat the slave trade, and the concept of a national referral mechanism for victims of trafficking in persons was introduced and adopted. In addition, between 2002 and 2022, the Cabinet of Ministers adopted four programmes, and the fifth Cabinet of Ministers Programme to Combat Trafficking in Persons for 2022–2025 and action plan for its implementation is currently being carried out.

296. As part of the implementation of this Programme, inter-agency platforms and working groups have been established to combat human trafficking; information campaigns entitled "100 Days against Trafficking in Human Beings" are being organized; and coordination councils for combating trafficking in human beings have been established in all provinces and cities, and their plans have been approved. In 2019, the Government Decision on the National Referral Mechanism for Victims of Trafficking in Persons in the Kyrgyz Republic was approved, which outlined a systematic approach to the detection and identification of victims of trafficking in persons in the country for the first time.

297. In addition, in 2020, a special working group of experienced prosecutors was established in the procuratorial system, whose main objectives are as follows: to improve the mechanism for the implementation of mutual legal assistance and international cooperation; to organize and improve methods for collecting crime statistics reflecting the prevention, prosecution and investigation of cases relating to trafficking in persons; and to establish and develop partnerships between law enforcement agencies, rehabilitation centres, the competent State migration authorities, and non-profit and international organizations.

298. It should also be noted that, under current criminal procedure law, cases of trafficking in persons are subject to public prosecution and are prosecuted regardless of whether a victim has submitted a complaint.

299. As part of efforts to improve the system for the criminalization of trafficking in persons as a transnational crime, in 2021 the new version of Criminal Code, No. 127 of 28 October 2021, was amended; in particular, article 166 (Trafficking in persons) no longer makes deriving a benefit a constituent element of an offence, in accordance with the provisions of the Trafficking in Persons Protocol, and now includes full exemption of the victim from liability for crimes committed during the period of his or her involvement in trafficking in persons, while trafficking in children has been placed under a separate article. These amendments were made in order to classify crimes related to the sale of newborn infants separately, with a new article 167 (Child trafficking) introduced for this purpose.

300. Article 170 of the Criminal Code also provides for criminal liability for the use of forced labour (slave labour).

301. Article 159 of the Criminal Code also punishes incitement to prostitution or forcing a person to engage in prostitution committed through the use or threat of violence without there being any danger to life or health, destruction of or damage to property, blackmail or deception. The punishment under this article is a fine or imprisonment of up to 10 years and confiscation of property.

302. The Act on the Protection of the Rights of Witnesses, Victims and Other Parties to Criminal Proceedings provides for the introduction of a system of State protection measures for witnesses, victims and other parties to criminal proceedings; among these are security and social protection measures for these persons, including victims of trafficking in persons.

303. Moreover, the Code of Criminal Procedure has been amended with articles 520 (Conduct of proceedings via video link) and 521 (Establishment and work of joint investigation and crime scene investigation teams), which corresponds to the provisions of article 19 of the Convention against Transnational Organized Crime.

304. Note should be taken of an international initiative on the part of Kyrgyzstan to strengthen cooperation to improve the exchange of information on criminal networks involved in trafficking in persons and on methods used by organized criminal groups, in accordance with the obligations established in article 10 (1) of the Trafficking in Persons Protocol, as well as to permit the development of standard operating procedures to promptly send information on identified victims to countries of origin, transit and destination in order to initiate parallel investigations.

305. This initiative was reflected in the resolution of the tenth session of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime, entitled “Effective implementation of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime”.

306. In this context, Kyrgyzstan has launched an initiative to establish a multilateral inter-agency working group as an additional platform for the exchange of operational information and the coordination of action, including the adoption of standard operating procedures related to mutual legal assistance and the strengthening of protection systems for victims of trafficking in persons, through the Judicial Cooperation Network for Central Asia and the Southern Caucasus (and the Inter-Agency Coordination Group against Trafficking in Persons).

307. Through this network, it will be possible to quickly set up joint investigation teams or conduct parallel investigations, which will make it much easier for the officials involved in them to share information quickly without the need for formal requests, recording and corroboration of evidence, to take the necessary strategic decisions to ensure the effectiveness of the investigation, to avoid duplication of efforts and disputes over jurisdiction and to better coordinate their actions in real time, including for the benefit of future criminal prosecutions. It will also allow certain challenges to be addressed more quickly, including improved efficiency in the gathering of evidence for prosecution and the possibility of developing joint investigation and prosecution strategies.

308. The Ministry of Labour, Social Security and Migration has also drafted a new version of the Act on the Principles of Social Services in the Kyrgyz Republic, where the notion of persons in “difficult circumstances” includes victims of human trafficking:

“Difficult circumstances” means circumstances that objectively destroy a person’s livelihood (disability, inability to care for oneself due to old age or illness, loss of parents, neglect, poverty, insufficient income, unemployment, lack of a fixed place of residence, conflicts and abuse in the family, violence and trafficking in persons, loneliness, statelessness, homelessness, etc.), which he or she cannot overcome on his or her own.

309. The Ministry of Internal Affairs has drafted a bill amending the Act on Preventing and Combating Trafficking in Persons. The bill is currently being considered in the relevant committees of the Zhogorku Kenesh.

310. The bill has been developed to improve mechanisms for preventing and combating trafficking in persons and to bring the provisions of the Act into line with the new version of the Constitution and the rules of international law. For the purposes of gender mainstreaming, it is proposed that article 1 of the Act be amended to include a paragraph which specifies that the concepts used in this Act, in particular those of victims of trafficking, forced labour and human trafficker, are to be interpreted and applied in a manner that is not discriminatory on any ground whatsoever. The interpretation and application of these concepts is to be consistent with universally recognized principles and rules of international law regarding non-discrimination. This proposal is in line with article 14 of the Trafficking in Persons Protocol. At this stage, the draft law has passed its second reading at the Zhogorku Kenesh.

311. Decision No. 227 of the Cabinet of Ministers of 15 April 2022 approved the Programme to Combat Trafficking in Persons in the Kyrgyz Republic for 2022–2025 and the action plan for its implementation.

312. The programme is aimed at ensuring a system-wide approach to, and enhancing the effectiveness of, anti-trafficking measures designed to uphold the rights of persons who are the victims of human trafficking, through the coordination of activities and cooperation with international and voluntary associations.

313. The programme has the following priority areas:

- Legal regulation of the principles of State policy on combating trafficking in persons, aimed at preventing and combating trafficking in persons, identifying victims and referring them to services for assistance and protection
- Prevention of trafficking in persons
- Cracking down on and prosecuting perpetrators of trafficking in persons
- Providing protection and assistance to victims of trafficking in persons
- Facilitating partnership, cooperation and coordination in efforts to combat trafficking in persons.

314. In accordance with Cabinet of Ministers Decision No. 392 of 22 July 2022 on Organizational Issues Regarding the Ministry of Labour, Social Security and Migration, the Ministry is a State executive body responsible for the development and implementation of State migration policy, including issues relating to immigrants, ethnic Kyrgyz and refugees, and to victims of trafficking in persons, in accordance with the law on the prevention and human trafficking.

315. Government Decision No. 493 of 19 September 2019 on the National Referral Mechanism for Victims of Trafficking in Persons in the Kyrgyz Republic was adopted in order to improve the gathering of data on victims of trafficking in persons, in addition to criteria for the identification of victims of trafficking in persons, standard operating procedures for the detection, identification and referral of victims of trafficking in persons, assistance to them and other matters.

316. A fundamental principle under the Instructions for the Detection, Identification and Referral of Victims of Trafficking in Persons is that the honour and dignity of all persons

must be upheld irrespective of sex, race, language, disability, ethnicity, religion, age, political or other opinion, education, origin, property or other status or other circumstances.

317. It is also noted in paragraph 6 that the Instructions apply to Kyrgyz citizens as well as foreign nationals and stateless persons, who have the same rights and privileges as Kyrgyz citizens.

318. Any foreign victim of trafficking in persons who is identified must without fail be referred to the diplomatic mission of the corresponding accredited foreign State in Kyrgyzstan.

319. In addition to the Instructions, Government Decision No. 493 approved criteria for the identification of victims of trafficking in persons and a number of other instructions that create the legal basis for the referral mechanism for victims of trafficking in persons itself, namely:

- Standard instructions on the confidential nature of personal details of victims of trafficking
- Instructions on the provision of social rehabilitation assistance to victims of trafficking
- Instructions on the use of a victim-centred approach by law enforcement agencies in human trafficking cases

320. In addition, the following standard operating procedures (internal regulations) were developed and approved in 2020:

- Instructions for officers of internal affairs bodies on the detection, identification and referral of victims of trafficking in human beings
- Instructions for customs officials on how to identify victims of trafficking in persons and how to refer them for assistance
- Instructions for Ministry of Health staff
- Instructions for staff of the Ministry of Labour, Social Security and Migration
- Instructions for the staff of the Ombudsman (Akyikatchy)

321. The Cabinet of Ministers has also approved rules on the organization of reception centres and procedures for their operation, management and financing and the monitoring of its activities. Work is currently under way to provide the necessary accommodation.

322. There are two crisis centres in the country, the Sezim centre in Bishkek and the Ak-zhurok centre in Osh, which specialize in assisting victims of trafficking in persons and offer medical, legal and psychological support and, if necessary, legal assistance. The centres also provide rehabilitation and reintegration support to victims of trafficking, including short-term skills training courses and employment assistance.

323. The Cabinet of Ministers' Programme on Combating Trafficking in Persons for 2022–2025 provides for the right of victims of trafficking to shelter, and the search for suitable accommodation is currently under way.

324. It should be noted in this context that there are no recorded cases of children being employed as domestic workers in Kyrgyzstan.

325. As part of the fight against human trafficking, since 2021 the Procurator General's Office has conducted a series of training sessions for procurators and investigators in investigating units throughout the country with the support of the Programme Office of the United Nations Office on Drugs and Crime in the Kyrgyz Republic. More than 200 senior procuratorial staff and internal affairs officers have been trained in total, and further advanced training is planned for more than 300 employees at various levels of the judicial and law enforcement system.

326. In 2021 and 2022, national simulation exercises on combating trafficking in human beings were conducted with the support of the Organization for Security and Cooperation in Europe as part of the implementation of the rules of the national referral mechanism for

victims of trafficking in persons, involving more than 140 participants, including representatives of the Procurator General's Office, the Ministry of Internal Affairs, the Ministry of Health, the Ministry of Labour, Social Security and Migration, the Labour Inspectorate, non-profit organizations, lawyers and experts.

327. Since 2017, the Higher School of Justice attached to the Supreme Court has been conducting training sessions on human trafficking, as well as on the consideration by the courts of cases on crimes related to human trafficking for judges of local courts. A total of 279 judges of local courts and the Supreme Court have attended these courses.

328. Regional training and capacity-building activities for law enforcement officials on combating trafficking in human beings are held on a regular basis.

329. Furthermore, the main objective of the Action Plan to Combat Trafficking in Persons is to raise public awareness on anti-trafficking issues, to reduce risks for socially vulnerable groups, to increase the effectiveness of information and education work with various population groups, and to intensify preventive measures on the Internet. In this regard, the Ministry of Labour, Social Security and Migration is currently planning the development and approval of an information strategy for the prevention of trafficking in persons. Information campaigns involving young people and the media are also organized on an annual basis on July 30 to mark World Day against Trafficking in Persons.

330. Such State programmes are funded using resources allocated to State bodies involved in the implementation of the programmes in accordance with their functions.

331. National legislation, including the International Migration Act, provides all the conditions necessary for migrant workers in an irregular situation and members of their families to regularize their stay in Kyrgyzstan. This requires that the documents be put in order in accordance with the purpose of the stay, as set out in the Act.

332. The vulnerability of Kyrgyz migrants is mainly owing to their low level of knowledge of the law and irregular status in host countries. Outreach activities are carried out and information is published on the official websites of the competent State bodies as part of efforts to reduce such vulnerability. The Migrant's Handbook mobile telephone application that has been developed provides all the information needed to stay safely in the country of employment.

333. The Employment Centre for Citizens Abroad is working with the competent State bodies of the host countries to create a comprehensive pre-departure preparation system for migrants.

334. Under Cabinet of Ministers Decision No. 392 of 22 July 2022 on the Organization of the Ministry of Labour, Social Security and Migration, responsibility for the protection of the rights and legitimate interests of migrants now falls to the Ministry.

335. The mandate of the Ministry includes: developing and implementing a unified State migration policy; implementing and monitoring compliance with migration laws and regulations; monitoring and assessing the migration situation in Kyrgyzstan; developing the system of organized employment of Kyrgyz nationals abroad; regulating the employment of foreign workers, taking into account the interests of the domestic labour market; adopting measures to ensure the protection of the rights and legitimate interests of ethnic Kyrgyz immigrants who are nationals of a foreign State and those with *kairylman* status; protecting the rights of refugees in accordance with international obligations, with due regard for the interests of national security; developing and implementing measures to prevent and combat trafficking in persons and to protect victims of trafficking; and developing international cooperation and the international legal framework for migration.

336. The main strategic document in the area of migration is the aforementioned Migration Policy Framework.

337. The Framework includes a set of goals, focus areas and objectives as regards migration. The Sustainable Development Goals and objectives of the National Development Strategy until 2040 were also taken into account in the development of the Framework.

338. The Framework identifies the following priorities and objectives for migration policy:

1. Improving conditions for citizens, compatriots, immigrants and stateless persons so that they may fulfil their potential and take advantage of the opportunities offered by Kyrgyzstan in the fields of education, work, professional life and culture.

2. Unlocking the potential offered by the migration of the people, compatriots, immigrants and stateless persons for the development of Kyrgyzstan.

3. Creating a system to protect the rights of Kyrgyz citizens abroad and immigrants, compatriots and stateless persons living in Kyrgyzstan.

4. Creating a safe environment for migrants.

339. In accordance with the action plan for the implementation of the first phase (2022–2025), the primary objectives for this period have been set and appropriate measures to achieve them have been planned. In addition, the United Nations Network on Migration provides technical support to the Cabinet of Ministers for all the primary objectives.

340. The Convention on the Rights of Persons with Disabilities was ratified by Act No. 34 of 13 March 2019. Furthermore, on 24 February 2020, Kyrgyzstan ratified the Protocol of 2014 to the Forced Labour Convention, 1930 (No. 29).

341. The migration profile was expanded in Kyrgyzstan for 2015–2018 under the United Nations Development Programme (UNDP)-IOM Joint Global Programme on Mainstreaming Migration into National Development Strategies. This document, based on data from Kyrgyz government agencies, is intended for representatives of the State authorities, international and non-governmental organizations dealing with migration management issues, and experts and researchers.

342. A study is to be conducted that will include data on the reasons for and drivers of international labour migration, the consequences and factors that contribute to the vulnerabilities to which migrants abroad and their family members who remain in Kyrgyzstan are exposed, and the restrictions and needs for reintegration into the labour market upon their return. The study will pay special attention to gender aspects of migration, in particular the migration of women, and female household members remaining at home.

343. The results of the study will be analysed and used to formulate more precise labour and migration policies, and to provide information on social protection to reduce the vulnerability of migrant workers, particularly women.

344. The study was launched in September 2022 with the financial support of the World Bank.

345. The Ministry of Labour, Social Security and Migration together with the Secretariat for Migration attached to the Speaker of the parliament, with technical support from the Solidarity Centre, conducted a study on the situation of migrant workers in the Russian Federation in 2022. In addition, the Insan-Leilek foundation, with support from the Friedrich-Ebert-Stiftung office in Kyrgyzstan, conducted a study entitled “The impact of economic sanctions against Russia on the labour rights of migrant workers from Kyrgyzstan”. Practical recommendations for improving work to protect the rights and interests of migrant workers were formulated based on the results of these studies.

346. The National Statistics Committee keeps statistics on international migration by country of arrival and departure, net migration, international migration outflows and international migration by ethnic group.

347. However, there is no unified national system for collecting comprehensive, disaggregated statistical data at the local and national government level. The current system of recording population movements is inefficient, as it is unable to reflect the actual process of international and internal migration. The Cabinet of Ministers therefore has the important task of incorporating a migration component and developing methodologies that include gender mainstreaming into the information-gathering process.

348. The inclusion of measures to enhance the system of data collection of official and administrative statistics on migration in the action plan for the first phase of the Migration Policy Framework is an important step in improving the collection of statistical data on migration. These measures are being implemented with the assistance of IOM. An interdepartmental working group was set up to analyse and evaluate existing sources of

administrative data on migration, including labour migration. Based on the information received, new statistical reporting forms on migration indicators are being developed.

349. Migration flows in Kyrgyzstan can be divided as follows: the departure of Kyrgyz citizens from the country for various purposes; the entry of foreign nationals into Kyrgyzstan; and internal migration.

350. The departure of Kyrgyz citizens for temporary employment abroad is one of the current, significant trends in international migration.

351. According to available information, the total number of Kyrgyz nationals abroad has reached more than 1 million, the overwhelming majority of whom leave for employment purposes. The main country of destination for Kyrgyz citizens is the Russian Federation, with more than 80 per cent of all migrants from Kyrgyzstan staying in the country. Kyrgyz citizens also reside and work in the Republic of Korea, Türkiye, the United States of America, Kazakhstan, Canada, the United Arab Emirates, Germany, the United Kingdom, Italy and other European countries.

352. Immigration features flows of foreign nationals and stateless persons coming to Kyrgyzstan for the purpose of work and permanent residence and refugees and the return of ethnic Kyrgyz to their historical homeland.

353. The Office of the Procurator General is constantly working to monitor cases of Kyrgyz nationals sentenced abroad and ensure they are transferred to Kyrgyzstan to complete their sentences.

354. The Ministry of Internal Affairs of the Russian Federation has noted a sharp increase in recent years in the number of crimes committed by Kyrgyz nationals in that country, from 2,772 in 2019 to 3,908 in 2021. Between January and June 2022, Kyrgyz nationals committed 2,183 crimes on the territory of the Russian Federation (and 2,038 during the same period in the previous year).

355. According to the Federal Penal Service of the Russian Federation, as of 1 July 2022, 1,920 Kyrgyz nationals were detained in the Russian prison system, of whom 1,033 were in correctional institutions (an increase of 10 per cent over the same period for the previous year) and 887 in pretrial detention centres (an increase of 27 per cent over the same period for the previous year).

356. The offences often committed by Kyrgyz citizens are related to illicit drug trafficking, offences against property (theft, robbery, fraud, burglary, extortion), offences against sexual integrity, offences against life and health (intentional infliction of serious harm to health, murder), offences against public order, etc.

357. With regard to the situation in Kyrgyzstan, for the first nine months of 2022, a total of 5,838 violations of the regulations governing stay and employment in Kyrgyzstan or transit travel by foreign nationals were uncovered; 125 violations of the regulations governing employment in Kyrgyzstan by foreign migrant workers; and 30 violations of the rules on the recruitment and use of foreign workers.

358. In total, fines totalling 33,959,000 soms were imposed.

359. To date, there are 285 convicted foreign nationals in institutions of the penal correction system under the Ministry of Justice, 93 per cent of whom are nationals of countries in the Commonwealth of Independent States: Uzbekistan (103), Tajikistan (72), the Russian Federation (49), Kazakhstan (35), Azerbaijan (2), Belarus (2) and Ukraine (2). The remaining 20 convicted persons are citizens of more distant countries.

360. There are currently no cases of expulsion of migrant workers and members of their families in Kyrgyzstan.

361. The expulsion of foreign nationals is a penalty that is provided for under the new version of the Code of Offences. In accordance with article 32 (4) of the Code, the procedure for the expulsion of foreign nationals is determined by the Cabinet of Ministers.

362. In this regard, the Ministry of Internal Affairs has prepared a draft decision of the Cabinet of Ministers approving the procedure for the expulsion of foreign nationals, which defines the acts to be performed by the officials of the State body competent for internal

affairs, national security, foreign affairs and migration involving the expulsion of foreign nationals.

363. In addition, for the purposes of applying article 19 of the International Migration Act, the draft decision specifies the procedures for organizing the activities of the State bodies authorized to issue expulsion orders and the procedures for covering the costs associated with the expulsion of foreign nationals.

364. The bill also approves the forms required to carry out the above-mentioned acts, namely:

- Drawing up a registration form for the expelled foreign national
- Certificate for the acceptance and transfer of the foreign national being expelled

365. The adoption of this bill will make it possible to fully apply the provisions of the Code of Offences and the International Migration Act in this area and to effectively prevent offences such as violations of the rules governing the stay, residence or employment of foreign nationals in Kyrgyzstan.

366. The draft decision has been sent to the President of Kyrgyzstan for consideration.

367. Kyrgyzstan is endeavouring to expand the legal framework for readmission agreements. It has concluded readmission agreements with Switzerland, the Russian Federation, Kazakhstan and Türkiye. Similar readmission agreements with Armenia and Belarus are under consideration and are to be concluded in accordance with the road map for Eurasian integration, and seven draft agreements with the Republic of Moldova, Georgia, Latvia, Estonia, Norway, the Benelux countries and the United Kingdom are being prepared.

368. Three children of Kazakh nationality deprived of parental care were identified in 2022. The mother of one of the children has disappeared and the mother of two children is in prison. In order to protect the rights and legitimate interests of the children, the Ministry of Labour, Social Security and Migration has facilitated the repatriation of foreign children in Kyrgyzstan to their country of origin, in order to return them to their biological parents, as follows:

- In 2019, two children
- In 2021, four children
- In the first nine months of 2022, three children

369. With regard to COVID-19, throughout the pandemic, people who tested positive for COVID-19 in laboratories and clinics were hospitalized in Kyrgyz health facilities and treated according to the severity of the disease, without distinction as to nationality. Treatment was provided free of charge, only as clinically indicated and on request. A total of 206,462 cases and 2,991 deaths from COVID-19 have been reported nationwide to date, including citizens of other countries. Since there was no division into “citizen of another country” or “labour migrant”, the exact number of persons belonging to this group is unknown.

370. With regard to remittances, in 2020, the gross inflow of remittances of individuals through the money transfer system amounted to US\$ 2,377.2 million, which is about 31 per cent of gross domestic product. The decrease in official transfer payments was due to a decline in business activity in the host countries. In 2021, the gross inflow of remittances of individuals to Kyrgyzstan amounted to US\$ 2,756.2 million, and, for the first nine months of 2022 US\$ 2,211.55 million, which is about 9 per cent higher than the level in the same period in 2021. Of the total flow of remittances, 95 per cent come from the Russian Federation.

371. The average cost of remittances in Kyrgyzstan amounted to 4.4 per cent of the amount transferred in the first quarter of 2021. This figure is above the target of 3 per cent to be achieved by 2030 according to the Sustainable Development Goals.

372. With regard to the ongoing judicial and legal reform aimed at strengthening State guarantees for the protection of human rights and freedoms, the Criminal Code, the Code of Offences and the Code of Criminal Procedure were enacted on 1 December 2021.

373. In the chapter of the current Criminal Code entitled “Offences against personal freedom”, article 168 (Organization of illegal migration, smuggling of migrants) provides for deprivation of liberty for a term of 5 to 8 years and confiscation of property. The previous versions of the Criminal Code did not contain such provisions, which is why the Supreme Court had not compiled judicial statistics on criminal cases related to illegal migration and the smuggling of migrants.

374. In accordance with the Act on Access to Information within the Jurisdiction of Central and Local Government Bodies in the Kyrgyz Republic, everyone is guaranteed the right of access to such information. During the COVID-19 pandemic, there was an increased need to provide information quickly due to constant changes in residence regulations and health requirements in different countries.

375. UNICEF and IOM have provided technical support to the Employment Centre for Citizens Abroad for the digitalization of overseas employment processes through the creation of a computerized information system and connection to the Tunduk State e-services portal. In addition, Insan-Leilek together with the Solidarity Centre have produced a guide for Kyrgyz nationals working in the Russian Federation and a Kyrgyz-Russian phrase book for migrant workers, which are distributed at pre-departure orientation seminars. Information stands have been set up in the local authorities in Batken Province, providing information and contact details of organizations that can be turned to for information on entry rules and legal employment procedures.

376. On 27 and 28 September 2022, the first international Eurasian Labour Market Dialogue forum was held in Bishkek.

377. The forum was attended by the Chair of the Cabinet of Ministers of Kyrgyzstan, A.U. Zhaparov, members of the Eurasian Economic Commission Board (of Ministers), government officials from States members of the Eurasian Economic Union, and representatives of international and non-governmental organizations, the diaspora and employers. The following issues were discussed: the social security rights of workers from the member States and their family members in the State of employment; problems encountered by workers and their family members during their stay in the State of employment (registration in the State of employment, non-admission, etc.); support for the development of organized forms of employment in the Eurasian Economic Union; further development and improvement of digital services in the field of labour migration; the development of cooperation in the field of vocational education (distance learning, harmonization of vocational education programmes, protection of migrant workers’ rights through cooperation with trade union organizations, etc.); ensuring an equivalent level of workers’ qualifications (harmonization of workers’ qualifications and the procedure for their recognition); forecasting the labour force needs of a unified labour market; and supranational regulation of emerging new forms of remote employment in the Union.

378. The forum resulted in the adoption of a resolution aimed at taking measures to harmonize and improve the migration policies of sending and receiving States that are members of the Union.