

The Kyrgyz Republic

Incidence and Nature of Child Labor

An estimated 9.2 percent of children ages 7 to 14 were counted as working in the Kyrgyz Republic in 1998. Approximately 10.2 percent of all boys 7 to 14 were working compared to 8.1 percent of girls in the same age group.²⁶⁵⁷ Children work selling goods (such as newspapers, cigarettes, candy, alcohol, and gasoline), loading and unloading goods, collecting aluminum and bottles, begging, cleaning and repairing shoes, and washing cars. Some children also work in transportation. In southern rural areas, reports indicate that children work in coal mines and in brick-making.²⁶⁵⁸ Children are allegedly taken out of school to harvest cotton. Children also work on commercial tobacco farms.²⁶⁵⁹ Some schools have reportedly required students to participate in the tobacco harvest in fields located on school grounds. Proceeds from the harvest are collected by the schools and do not go to the children.²⁶⁶⁰ Children are found working on family farms and in family enterprises such as shepherding or selling products at roadside kiosks.²⁶⁶¹ ILO reports indicate that a large number of children from rural areas are sent to urban areas to live with wealthier relatives and to work as domestic servants.²⁶⁶² Child labor is one of many problems associated with poverty. In 2002, less than 2 percent of the population of the Kyrgyz Republic were living on less than USD 1 a day.²⁶⁶³

Children are vulnerable to commercial sexual exploitation in urban areas throughout the country. Children engaged in prostitution are primarily girls from ages 11 to 16 years.²⁶⁶⁴ It has been asserted that at least 20 percent of prostitutes in Bishkek are minors.²⁶⁶⁵ The Kyrgyz Republic is considered to be a country of origin and transit for trafficked children. An IOM study reported that a minimum of 4,000

²⁶⁵⁷ UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*, October 7, 2005. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms, such as the use of children in the illegal drug trade, prostitution, pornography, and trafficking. As a result, statistics and information on children's work in general are reported in this section. Such statistics and information may or may not include the worst forms of child labor. For more information on the definition of working children and other indicators used in this report, please see the "Data Sources and Definitions" section of this report.

²⁶⁵⁸ ILO-IPEC and SIAR-Bishkek Ltd., *Child Labor in Kyrgyzstan: An initial study*, draft working paper, Bishkek, 2001, 14. See also U.S. Department of State, *Country Reports on Human Rights Practices- 2004: Kyrgyz Republic*, Washington, DC, February 28, 2005, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2004/41690.htm>. See also Integrated Regional Information Networks, *Kyrgyzstan: IRIN Focus on Street Children in Bishkek*, July 6, 2001 [cited June 17, 2005]; available from http://www.irinnews.org/report.asp?ReportID=9234&SelectRegion=Central_Asia&SelectCountry=KYRGYZSTAN. See also UN Committee on the Rights of the Child, *NGO Commentaries to the Initial Report of the Kyrgyz Republic on the UN Convention on the Rights of the Child*, 26; available from <http://www.crin.org/docs/resources/treaties/crc.24/kyrgystanNGOreport.doc>.

²⁶⁵⁹ U.S. Department of State, *Country Reports- 2004: Kyrgyz Republic*, Section 6d.

²⁶⁶⁰ Ibid. Students sometimes participate in labor training classes involving cleaning and collecting waste. "Subbotnics" (labor days) are also arranged in city areas. See UN Committee on the Rights of the Child, *NGO Commentaries*, 27.

²⁶⁶¹ Families tend to be large and consider it necessary for children to begin work at a young age to support their families. See U.S. Department of State, *Country Reports- 2004: Kyrgyz Republic*, Section 6d.

²⁶⁶² Youth Human Rights Group, "Alternative NGO Report to the United Nations Committee on the Rights of the Child in Relation to the Examination of the Second Periodic Report by the Kyrgyz Republic on the Implementation of the UN Convention on the Rights of the Child," (April 2004), 27; available from http://www.crin.org/docs/resources/treaties/crc.37/kyrgyzstan_ngo_report.pdf. See also ILO-IPEC and SIAR-Bishkek Ltd., *Child Labor in Kyrgyzstan*, 15-17.

²⁶⁶³ World Bank, *World Development Indicators 2005* [CD-ROM], Washington, DC, 2005.

²⁶⁶⁴ Institute for War and Peace Reporting (IWPR), *Lost Children of Central Asia*, [press release] January 19, 2004 [cited June 17, 2005]; available from http://www.iwpr.net/index.pl?archive/rca/rca_200401_257_2_eng.txt. See also IOM, *Trafficking in Women and Children from the Kyrgyz Republic*, Bishkek, November 2000, 21.

²⁶⁶⁵ UN Committee on the Rights of the Child, *NGO Commentaries*, 27.

women are trafficked to, from and through the Kyrgyz Republic for commercial sexual exploitation every year, and approximately 10 percent of the total are children.²⁶⁶⁶ There are reports of women and girls trafficked for commercial sexual exploitation to the United Arab Emirates, Turkey, and South Korea.²⁶⁶⁷ Girls as young as 10 years old are trafficked internally and internationally. Girls from poor rural areas are particularly vulnerable to being trafficked.²⁶⁶⁸

The Constitution establishes free and compulsory education beginning no later than age 7.²⁶⁶⁹ This extends through grade 9 or until age 14.²⁶⁷⁰ In 2002, the gross primary enrollment rate was 101 percent and the net primary enrollment rate was 89 percent.²⁶⁷¹ Gross and net enrollment ratios are based on the number of students formally registered in primary school and therefore do not necessarily reflect actual school attendance. In 1998, 91.6 percent of children ages 7 to 14 years were attending school.²⁶⁷² A national economic crisis and family poverty have induced many children to drop out of school and take up work.²⁶⁷³ In April 2003, the government passed a law on education to help the country meet mandatory basic education standards.²⁶⁷⁴ Residence registration limits access to education and other social services for refugees, migrants, internally displaced persons, and non-citizens.²⁶⁷⁵

The quality of education is poorest in rural areas. Rural schools account for over 80 percent of all schools in the country.²⁶⁷⁶ Educational reforms have shifted the burden of financing education to regional authorities and families, often resulting in the inability of low-income families to pay for their children's school supplies and other administrative fees.²⁶⁷⁷ Not all school-aged children have access to secondary education.²⁶⁷⁸ Wages of teachers start at the equivalent of USD 7 per month and are among the lowest paid in the world. This has impacted the ability to attract and retain professionals to the education sector and affects the ability of schools to provide all compulsory subjects.²⁶⁷⁹ The severe deterioration of school buildings and lack of heat in winter months have closed schools. Without improvements in school infrastructure, improving teachers' performance and access to school materials will have little impact.²⁶⁸⁰ Numerous studies carried out by international aid agencies have found that the number of out-of school children is higher than officially reported because long-term non-attendance of school or "hidden-

²⁶⁶⁶ Liz Kelly, *Fertile Fields: Trafficking in Persons in Central Asia*, International Organization for Migration, April 2005.

²⁶⁶⁷ U.S. Department of State, *Country Reports- 2004: Kyrgyz Republic*, Section 5. See also Youth Human Rights Group, "Alternative NGO Report," 16.

²⁶⁶⁸ U.S. Department of State, *Country Reports- 2004: Kyrgyz Republic*, Section 5.

²⁶⁶⁹ Government of Kyrgyzstan, *Constitution of the Kyrgyz Republic*, (February 17, 1996), Article 32. See also UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties: Kyrgyzstan*, para. 65.

²⁶⁷⁰ U.S. Department of State, *Country Reports- 2004: Kyrgyz Republic*, Section 5.

²⁶⁷¹ UNESCO Institute for Statistics, <http://stats.uis.unesco.org/TableViewer/tableView.aspx?ReportID=51> (Gross and Net Enrollment Ratios, Primary; accessed December 2005). For an explanation of gross primary enrollment rates that are greater than 100 percent, please see the definition of gross primary enrollment rates in the "Data Sources and Definitions" section of this report.

²⁶⁷² UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*.

²⁶⁷³ UNICEF's Executive Board, *Draft Country Programme Document: Kyrgyzstan*, E/ICEF/2004/P/L.14, United National Economic and Social Council, April 1, 2004, 3. See also UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties: Kyrgyzstan*, 17.

²⁶⁷⁴ Article 4 focuses on securing free education through grade 11. See U.S. Embassy- Bishkek, *reporting*, August 15, 2003.

²⁶⁷⁵ U.S. Department of State, *Country Reports- 2004: Kyrgyz Republic*, Section 5.

²⁶⁷⁶ UNICEF's Executive Board, *Draft Country Programme Document: Kyrgyzstan*, 3. See also National Comprehensive Development Framework Council, *National Poverty Reduction Strategy 2003-2005: Comprehensive Development Framework of the Kyrgyz Republic to 2010, Expanding the Country's Capacity*, 2003, 60.

²⁶⁷⁷ National Comprehensive Development Framework Council, *National Poverty Reduction Strategy 2003-2005*, 59-60. See also U.S. Department of State, *Country Reports- 2004: Kyrgyz Republic*, Section 5.

²⁶⁷⁸ National Comprehensive Development Framework Council, *National Poverty Reduction Strategy 2003-2005*, 59.

²⁶⁷⁹ ADB, *Laying Groundwork to Boost Enrollment and Standards in Kyrgyz Schools*, [online press release] 2003 [cited June 20, 2005]; available from <http://www.adb.org/Media/printer.asp?articleID=3378>. <http://www.adb.org/media/printer.asp?articleID=3378>.

²⁶⁸⁰ UNICEF's Executive Board, *Draft Country Programme Document: Kyrgyzstan*, 6.

dropout" is not taken into account.²⁶⁸¹ A report from the Centre for the Protection of Children noted that 74 to 83 percent of children working on the streets dropped out of school.²⁶⁸² A 2003 UNICEF-supported survey of 207 street and working children in Bishkek found that up to 90 percent did not attend school at all.²⁶⁸³

Child Labor Laws and Enforcement

A new Labor Code was passed on August 4, 2004 that established the minimum age for basic employment as 16, except in limited circumstances with parental permission.²⁶⁸⁴ Limited light work is permitted at age 14. Maximum work hours for children ages 14 and 15 are 5 hours per day. Maximum work hours for children ages 16 and 17 are 7 hours per day. A 2002 decree banned the employment of persons under 18 in certain industries including oil and gas, mining and prospecting, food, entertainment, and machine building.²⁶⁸⁵ A violation of labor laws is punishable by a fine of up to USD 120.²⁶⁸⁶ Children studying in educational establishments are forbidden from participating in agricultural or other work not related to their schooling.²⁶⁸⁷ The law penalizes parents who restrict their children's access to schooling, but it is not strictly enforced, especially in rural areas.²⁶⁸⁸ The penalty for preventing a child from attending school ranges from a public reprimand to 1 year of forced labor.²⁶⁸⁹

Although there is no law specifically prohibiting the worst forms of child labor in the Kyrgyz Republic, there are statutes under which the worst forms can be prosecuted. Both the Constitution and the Labor Code prohibit forced labor under most circumstances.²⁶⁹⁰ The minimum age for recruitment to active military service is age 18; however, boys age 17 may volunteer for military schools.²⁶⁹¹

Adult prostitution is not illegal, and although the operation of brothels, pimping, and recruiting persons into prostitution is punishable by up to 5 years in jail, there is no legal penalty for consorting with underage prostitutes.²⁶⁹² A lack of legal regulation and oversight makes prostitution a growing problem.²⁶⁹³ The Criminal Code prohibits trafficking in persons and imposes punishments of up to 20 years of imprisonment.²⁶⁹⁴ A comprehensive anti-trafficking law was adopted in January 2005 that grants immunity from prosecution to victims of trafficking who cooperate with authorities.²⁶⁹⁵

²⁶⁸¹ National Comprehensive Development Framework Council, *National Poverty Reduction Strategy 2003-2005*, 59. See also Youth Human Rights Group, "Alternative NGO Report," 25.

²⁶⁸² Youth Human Rights Group, "Alternative NGO Report," 25.

²⁶⁸³ UNICEF's Executive Board, *Draft Country Programme Document: Kyrgyzstan*, 3.

²⁶⁸⁴ U.S. Department of State, *Country Reports- 2004: Kyrgyz Republic*, Section 6d. See also UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties: Kyrgyzstan*, para. 70.

²⁶⁸⁵ U.S. Department of State, *Country Reports- 2004: Kyrgyz Republic*, Section 6d.

²⁶⁸⁶ Articles 124, 125, 142, and 143 of the Criminal Code as reported in U.S. Embassy- Bishkek, *reporting*, August 15, 2003.

²⁶⁸⁷ UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties: Kyrgyzstan*, para. 340.

²⁶⁸⁸ U.S. Department of State, *Country Reports- 2004: Kyrgyz Republic*, Section 5.

²⁶⁸⁹ UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties: Kyrgyzstan*, para. 67.

²⁶⁹⁰ Forced labor is prohibited except in cases of war, natural disaster, epidemic, or other extraordinary circumstances, as well as upon sentence by the court. See *Constitution, 1996*, Article 28. See also U.S. Department of State, *Country Reports- 2004: Kyrgyz Republic*, Section 6c.

²⁶⁹¹ Coalition to Stop the Use of Child Soldiers, "Kyrgyzstan," in *Global Report 2001, 2002*; available from <http://www.child-soldiers.org/cs/childsoldiers.nsf/Report/Global%20Report%202001/%20GLOBAL%20REPORT%20CONTENTS?OpenDocument>.

²⁶⁹² U.S. Department of State, *Country Reports- 2004: Kyrgyz Republic*, Section 5. See also ECPAT International CSEC database, <http://www.ecpat.net> (Kyrgyz Republic; accessed July 5, 2006).

²⁶⁹³ U.S. Department of State, *Country Reports- 2004: Kyrgyz Republic*, Section 5.

²⁶⁹⁴ *Ibid.*

²⁶⁹⁵ U.S. Department of State, *Trafficking in Persons Report*, Washington, DC, June 3, 2005; available from <http://www.state.gov/documents/organization/47255.pdf>.

The General Procurator's Office and the State Labor Inspectorate are responsible for enforcing child labor laws. During 2004, the Labor Inspectorate had 54 inspectors throughout the country. The Federation of Trade Unions also has the right to carry out child labor inspections when it receives a complaint.²⁶⁹⁶ The Office of the Ombudsman has a special department dealing with the rights of minors. It has the authority to order other agencies to deliver information or conduct investigations.²⁶⁹⁷ The Ministry of Internal Affairs (MVD) has a division of Inspectorates of Minors' Affairs mandated to enforce child-related laws. The MVD also runs two poorly equipped juvenile rehabilitation centers and operates an anti-trafficking unit.²⁶⁹⁸

Since many children work for their families or in informal occupations, it is difficult for the government to identify violators and few have been punished. Budget constraints make enforcement difficult as does corruption at lower levels in government.²⁶⁹⁹ Prosecution is difficult in anti-trafficking cases. The reluctance of victims to file charges due to fear, mistrust, and social pressures also has reduced arrest and conviction rates.²⁷⁰⁰ Despite these obstacles, the government has had some success. Efforts are being made to eliminate government corruption as it relates to trafficking.²⁷⁰¹ The government has established contacts with law enforcement agencies in South Korea and the United Arab Emirates and participated in joint anti-trafficking operations with Ukrainian and Azeri officials.²⁷⁰²

Current Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of the Kyrgyz Republic is participating in a USD 2.5 million USDOL-funded ILO-IPEC sub-regional project that will enhance the capacity of national institutions to eliminate the worst forms of child labor in the Kyrgyz Republic and share information and experiences across Central Asia.²⁷⁰³ The government's inter-ministerial body, known as the New Generation program, is studying suitable working conditions for young persons and will introduce new techniques for monitoring employers' compliance with national labor law.²⁷⁰⁴ A Coordination Council on Child Labor was established by the Ministry of Labor and Social Protection.²⁷⁰⁵

Selected Child Labor Measures Adopted by Governments		
Ratified Convention 138	3/31/92	✓
Ratified Convention 182	5/11/04	✓
ILO-IPEC Associated Member		✓
National Plan for Children		✓
National Child Labor Action Plan		
Sector Action Plan (Trafficking)		✓

Since March 2004, the Government of the Kyrgyz Republic has been funding the Secretariat of the National Council to Combat Trafficking.²⁷⁰⁶ The National Council is responsible for coordinating the

²⁶⁹⁶ U.S. Department of State, *Country Reports- 2004: Kyrgyz Republic*, Section 6d.

²⁶⁹⁷ UN Committee on the Rights of the Child, *Summary Record of the 987th Meeting: Kyrgyzstan*, September 29, 2004, para. 38, 47; available from <http://www.unhcr.ch/tbs/doc.nsf/Documentsfrset?OpenFrameSet>.

²⁶⁹⁸ The centers are located in Bishkek and Osh, the largest cities in the Kyrgyz Republic. U.S. Department of State, *Country Reports- 2004: Kyrgyz Republic*, Section 5. See also Youth Human Rights Group, "Alternative NGO Report," 5.

²⁶⁹⁹ *Ibid.*, Section 6d.

²⁷⁰⁰ *Ibid.*, Section 5.

²⁷⁰¹ *Ibid.*

²⁷⁰² U.S. Department of State, *Trafficking in Persons Report*, 139.

²⁷⁰³ ILO-IPEC, *CAR Capacity Building Project: Regional Program on the Worst Forms of Child Labour*, project document, RER/04/P54/USA, Geneva, September 2004.

²⁷⁰⁴ U.S. Department of State, *Country Reports- 2004: Kyrgyz Republic*, Section 6d. National Comprehensive Development Framework Council, *National Poverty Reduction Strategy 2003-2005*, 55-56. See also UNICEF's Executive Board, *Draft Country Programme Document: Kyrgyzstan*, 8.

²⁷⁰⁵ Youth Human Rights Group, "Alternative NGO Report," 27.

²⁷⁰⁶ U.S. Embassy- Bishkek, *reporting*, June 8, 2004.

actions of various government agencies and ensuring adherence to the 2002-2005 Anti-trafficking Plan of Action.²⁷⁰⁷ The government worked with NGOs such as SEZIM and IOM to provide special services for trafficking victims, and it participated in education campaigns.²⁷⁰⁸ With assistance from the IOM and a USD 1.6 million grant from the U.S. State Department, the government now issues new forgery-resistant passports intended to reduce incidents of human trafficking in the Kyrgyz Republic.²⁷⁰⁹ The government's Commission on the Affairs of Under-Age Children coordinates activities and works with the Kyrgyz Children's Fund (KCF) and other NGOs to monitor the condition of children and provide shelters.²⁷¹⁰ An IOM-sponsored program involves strengthening the capacity of local NGOs to assist and reintegrate victims of trafficking.²⁷¹¹

Addressing child poverty and education has been given priority in Kyrgyzstan's National Poverty Reduction Strategy.²⁷¹² The government's budget for 2005-2007 provides for increased spending in the areas of social services, education, and health.²⁷¹³ The Government of the Kyrgyz Republic has established ongoing national education programs such as Araket (National Poverty Reduction Program, 1998-2005), Jashtyk (National Youth Development Program until 2010), and Jetkinchek (Access to Education Program). Jetkinchek focuses on attendance problems in schools and overcrowded classrooms. ADB and UNDP provide support to the project.²⁷¹⁴

USAID is supporting the Basic Education Strengthening Program (2003-2006) that is improving in-service teacher training; learning material and textbook development; parent and community involvement in education management; capacity of school administration; and school infrastructure.²⁷¹⁵ Through this program, community education committees are established and linked to pilot schools that will undergo infrastructure improvements.²⁷¹⁶ The U.S. Department of Agriculture is working with the government as part of a global effort to provide meals for schoolchildren.²⁷¹⁷

UNHCR, in cooperation with the government, is providing assistance to under-funded schools serving Tajik refugees displaced after the 1992-1997 Tajik civil war. UNHCR plans to provide books and equipment to accommodate children at no expense to their families.²⁷¹⁸ With USD 15 million in World Bank financing, the Education Ministry's Rural School Program was developed to create a new evaluation

²⁷⁰⁷ U.S. Department of State, *Country Reports- 2004: Kyrgyz Republic*, Section 5. See also U.S. Department of State, *Trafficking in Persons Report*, 139.

²⁷⁰⁸ In November 2004, the government provided 10 spaces for shelter use by Sezim. The space has provided shelter for 80 adults and 24 children. The number of trafficking victims among these is not known. An IOM-sponsored shelter opened in July 2004 in Osh. Several NGOs such as Women's Support Center, TAIS-Plus, New Chance Sezim, and Podruga provided legal, medical, and economic aid to victims. U.S. Department of State, *Country Reports- 2004: Kyrgyz Republic*, Section 5.

²⁷⁰⁹ UN Office for the Coordination of Humanitarian Affairs, "Kyrgyzstan: New Passport to Help Reduce Human Trafficking", [online], August 4, 2004 [cited June 17, 2005]; available from http://www.irinnews.org/report.asp?ReportID=42509&SelectRegion=Central_Asia&SelectCountry=KYRGYZSTAN.

²⁷¹⁰ U.S. Department of State, *Country Reports- 2004: Kyrgyz Republic*, Section 5.

²⁷¹¹ IOM, *Development of NGOs Capacity to Provide Assistance to Victims of Trafficking in the Kyrgyz Republic (NCPA)*, [cited June 15, 2005]; available from <http://www.iom.int/iomwebsite/Project/ServletSearchProject?event=detail&id=KG1Z016>.

²⁷¹² Government of the Kyrgyz Republic, *Poverty Reduction Strategy Paper, Annual Progress Report*, Bishkek, May 2004; available from http://www-wds.worldbank.org/servlet/WDSContentServer/WDSP/IB/2004/06/16/16000012009_20040616124157/Rendered/PDF/29208.pdf.

²⁷¹³ UN Committee on the Rights of the Child, *Summary Record of the 987th Meeting: Kyrgyzstan*, para. 49.

²⁷¹⁴ Government of the Kyrgyz Republic, *Poverty Reduction Strategy Paper, Annual Progress Report*, para. 133, 151-160.

²⁷¹⁵ AED is the implementing partner. See USAID, *Kyrgyz Republic Portfolio Overview*, [Online Database] [cited June 15, 2005]; available from http://www.usaid.gov/locations/europe_eurasia/car/pdfs/overkyr.pdf.

²⁷¹⁶ *Ibid.*

²⁷¹⁷ Washington File, *U.S. Funds Will Provide School Meals in Latin America, Caribbean*, August 17, 2004; available from <http://usinfo.state.gov/gi/Archive/2004/Aug/18-23606.html>.

²⁷¹⁸ UN High Commissioner for Refugees, *Country Operations Plan, Executive Committee Summary, Country: Kyrgyzstan*, 2005, 3; available from <http://www.unhcr.ch/cgi-bin/texis/vtx/home/opendoc.pdf?tb1=RSDCOI&id=415962ff4&page=home>.

system for teachers and implement a new performance-based salary schedule.²⁷¹⁹ Through the Program, financial assistance is being provided to encourage new teachers to practice in rural schools.²⁷²⁰

²⁷¹⁹ Government of the Kyrgyz Republic, *Poverty Reduction Strategy Paper, Annual Progress Report*, para. 153. See also World Bank, *Rural Education*, [cited June 15, 2005]; available from <http://web.worldbank.org/external/default/main?pagePK=34004166&piPK=340044443&theSitePK=444608&menuPK=444638&Projectid=P078976>.

²⁷²⁰ UN Office for the Coordination of Humanitarian Affairs, "Kyrgyzstan: New Programme to Get Teachers to Rural Areas", April 6, 2005; available from http://www.irinnews.org/report.asp?ReportID=46483&SelectRegion=Central_Asia&SelectCountry=KYRGYZSTAN. See also World Bank, *Rural Education*.