

KYRGYZ REPUBLIC 2017 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

The Kyrgyz Republic has a parliamentary form of government designed to limit presidential power and enhance the role of parliament and the prime minister. During presidential elections on October 15, the nation elected former prime minister and member of the ruling party, Sooronbai Jeenbekov, to succeed outgoing President Almazbek Atambaev. The Organization for Security and Cooperation in Europe (OSCE) described the elections as competitive and well administered, but it noted room for improvement in the legal framework to prevent misuse of public resources in election campaigns and to effectively deter vote buying.

Civilian authorities at times did not maintain effective control over the security forces, particularly in the provinces of Jalal-Abad and Osh.

The most significant human rights issues included law enforcement and security services officers' use of torture and arbitrary arrest; increasing pressure on independent media; harassment of journalists; selective and politically motivated prosecutions; pervasive corruption; forced labor; and attacks, threats, and systematic police-driven extortion of sexual and ethnic minority groups.

Official impunity was a significant problem. While authorities investigated reports of official abuse in the security services and elsewhere, they rarely prosecuted and punished officials accused of human rights violations, or complicity in trafficking.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were no reports during the year that the government or its agents purposefully committed arbitrary or unlawful killings.

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits torture and other cruel, inhuman, or degrading treatment or punishment. There were no prominent reports during the year of alleged torture by security force personnel; nonetheless, physical abuse, including inhuman and degrading treatment, reportedly continued in prisons. Police abuse reportedly remained a problem, notably in pretrial detention.

On September 25, local media reported that the ombudsman opened an investigation into torture allegations made by a detainee at a Bishkek pretrial detention facility. The detainee alleged that police officers assaulted him and applied psychological pressure to extract a confession.

As in 2016, defense attorneys, journalists, and human rights monitoring organizations, including Golos Svobody, Bir Duino, and the international NGO Human Rights Watch (HRW), reported incidents of serious abuse or torture by police and other law enforcement agencies. NGOs stated the government established strong torture-monitoring bodies but that the independence of these bodies was under threat.

Golos Svobody played a central role in monitoring allegations of torture and was the central organizer of the Antitorture Coalition, a consortium of 18 NGOs that continued to work with the Prosecutor General's Office (PGO) to track complaints of torture.

The Antitorture Coalition also accepted complaints of torture and passed them to the PGO to facilitate investigations. According to members of the Antitorture Coalition, the cases it submitted against alleged torturers did not lead to convictions. In historical cases where police were put on trial for torture, prosecutors, judges, and defendants routinely raised procedural and substantive objections, delaying the cases, often resulting in stale evidence, and ultimately leading to case dismissal. During the year NGOs reported that courts regularly included into evidence confessions allegedly induced through torture.

Defense lawyers stated that, once prosecutors took a case to trial, a conviction was almost certain. According to Golos Svobody, investigators often took two weeks or longer to review torture claims, at which point the physical evidence of torture was no longer visible. Defense attorneys presented most allegations of torture during trial proceedings, and the courts typically rejected them. In some cases

detainees who filed torture complaints later recanted, reportedly in the face of intimidation by law enforcement officers.

Prison and Detention Center Conditions

Prison conditions were harsh and sometimes life threatening due to food and medicine shortages, substandard health care, lack of heat, and mistreatment.

Physical Conditions: Pretrial and temporary detention facilities were particularly overcrowded, and conditions and mistreatment generally were worse than in prisons. Authorities generally held juveniles separately from adults but grouped them in overcrowded temporary detention centers when other facilities were unavailable. Convicted prisoners occasionally remained in pretrial detention centers while their cases were under appeal.

NGOs reported that in some cases prison gangs controlled prison management and discipline, since prison officials lacked capacity and expertise in running a facility. In some instances the gangs controlled items that could be brought into the prison, such as food and clothing, while prison officials looked the other way. According to NGOs, authorities did not try to dismantle these groups because they were too powerful and believed that removing them could lead to chaos. Some prisoners indicated that prison order and safety was left to the prison gangs or prisoners themselves, resulting in instances of violence and intimidation among inmates.

Administration: Persons held in pretrial detention often did not have access to visitors. Prisoners have the right to file complaints with prison officials or with higher authorities. According to the NGO Bir Duino, prison staff inconsistently reported and documented complaints. Many observers believed that the official number of prisoner complaints of mistreatment represented only a small fraction of the actual cases.

Independent Monitoring: NGO leaders reported that prison officials increased openness to allowing monitors into prison and detention facilities, and most monitoring groups, including the International Committee of the Red Cross (ICRC), reported receiving unfettered access. Some NGOs, including Bir Duino and Spravedlivost, had the right to visit prisons independently as part of their provision of technical assistance, such as medical and psychological care.

The National Center to Prevent Torture and other Inhuman and Offensive Treatment and Punishment, an independent and impartial body, is empowered to

monitor detention facilities. The center consists of 11 government employees spread across seven offices and empowered to make unannounced, unfettered visits to detention facilities. NGO representatives stated that center officials made progress monitoring and documenting some violations in detention facilities, but they stressed, as they had in previous years, that a standardized approach to identifying torture cases and additional resources and staff members, were necessary to conduct its work.

An NGO representative stated that as of this year, the State Committee for National Security (GKNB) would be responsible for handling torture investigations, working with the PGO to prosecute cases.

d. Arbitrary Arrest or Detention

While the law prohibits arbitrary arrest, it continued to occur. Human rights organizations in Osh reported arrests unfairly targeting ethnic Uzbeks for alleged involvement in banned religious organizations and for alleged “religious extremism activity.” Arrests for lack of proper identification documents were common. Attorneys reported that police frequently arrested individuals on false charges and then solicited bribes in exchange for release.

Role of the Police and Security Apparatus

The investigation of general and local crimes falls under the authority of the Ministry of Internal Affairs, while national-level crimes fall under the authority of the GKNB, which also controls the presidential security service. The PGO prosecutes both local and national crimes.

Both local and international observers said the GKNB and law enforcement officers engaged in widespread arbitrary arrests, including some alleged to be politically motivated, detainee abuse, and extortion, particularly in the southern part of the country. Authorities dismissed most cases against Ministry of Internal Affairs officials for corruption or abuse of authority.

NGOs and other legal observers routinely noted the lack of women and ethnic minorities in the police force and in all government positions. Officially, women and ethnic minorities (nonethnic Kyrgyz) made up approximately 6 and 4 percent of the police force, respectively. According to UN statistics, ethnic minorities constituted approximately 27 percent of the population.

Arrest Procedures and Treatment of Detainees

According to the criminal procedure code, only courts have the authority to issue search and seizure warrants. While prosecutors have the burden of proof in persuading a judge that a defendant should be detained pending trial, activists reported detention without a warrant or in contravention of regulatory standards remained common. NGOs reported that police targeted vulnerable defendants from whom they believed they could secure a bribe. Observers alleged incidents in which police targeted ethnic Uzbeks by planting literature and then charging them with possession of banned religious materials. Authorities could legally hold a detainee for 48 to 72 hours before filing charges; authorities generally respected these limits. The law requires investigators to notify a detainee's family of the detention within 12 hours, but officials inconsistently enforced this provision. Following official charges, the courts have discretion to hold a suspect in pretrial detention for as much as one year, depending on the severity of the charges, after which they are legally required to release the suspect. There is a functioning bail system, and there are no alternatives to the bail system under the law.

Persons arrested or charged with a crime have the right to defense counsel at public expense. By law the accused has the right to consult with defense counsel immediately upon arrest or detention, but in many cases, the first meeting did not occur until the trial. As in past years, human rights groups noted incidents in which authorities denied attorneys to arrested minors, often holding the minors without parental notification and questioning them without parents or attorneys present, despite laws forbidding these practices.

The law authorizes the use of house arrest for certain categories of suspects. Reports indicated that law enforcement officers selectively enforced the law by incarcerating persons suspected of minor crimes while not pursuing those suspected of ones that are more serious.

Arbitrary Arrest: As in previous years, NGOs and monitoring organizations, including Golos Svobody, Bir Duino, HRW, Spravedlivost, the UN Office of the High Commissioner for Human Rights, and the OSCE, recorded complaints of arbitrary arrest. Most observers asserted it was impossible to know the number of cases because the majority went unreported. According to NGOs in the southern part of the country, arrests and harassment of individuals allegedly involved in extremist religious groups--predominantly ethnic Uzbeks--continued.

On July 2, residents of Kara-Kul, Jalal-Abad Oblast took to the streets to demand the resignation of police chief Kalyk Aytbayev. The residents complained that under Aytbayev, local police frequently planted drugs and banned extremist literature on detainees to justify arrests. On July 13, the Ministry of Internal Affairs announced it started an investigation against Aytbayev, who remained in his post.

On September 21, police and intelligence authorities made several raids in the Chui Oblast. They arrested three individuals on charges related to extremist literature gathered at the scene and weapons that were confiscated. Authorities also found components to make improvised explosives. The arrests related to an unnamed extremist group. Government authorities alleged that those arrested were planning a terrorist attack related to the October presidential election.

There were reports of more than a dozen arrests of individuals suspected of involvement in the banned extremist group Hizb ut-Tahrir; such arrests continued a trend that began to increase in 2014. According to Bir Duino, however, some arrests were driven by corruption within the law enforcement system. There were allegations police would enter a home falsely claiming to have a search warrant, plant banned Hizb ut-Tahrir material, and arrest the suspect in the hope of extracting a bribe to secure release.

Pretrial Detention: According to the penal code, authorities may hold a suspect at a pretrial detention facility during the official investigation. Depending on the facility, families may or may not have visitation rights with pretrial detainees. The general legal restriction on the length of investigations is 60 days. Political machinations, complex legal procedures, poor access to lawyers, and limited investigation capacity often lengthened defendants' time in pretrial detention beyond the 60-day limit, with some being detained legally for as long as one year.

Detainee's Ability to Challenge Lawfulness of Detention before a Court:

According to the Kyrgyz Criminal Procedure Code (CPC), individuals may challenge the lawfulness of their detention at any point. The CPC also outlines instances in which restitution may be made to affected individuals or their heirs following a court's determination of unlawful detention. These instances happened rarely.

e. Denial of Fair Public Trial

The law provides for an independent judiciary, but judges were subject to influence or corruption. Throughout the year there were multiple instances where the conduct and outcomes of trials appeared predetermined. Numerous sources, including NGOs, attorneys, government officials, and private citizens, asserted judges paid bribes to attain their positions. Many attorneys asserted that bribe taking was ubiquitous among judges. Authorities generally respected court orders.

Numerous NGOs described pervasive violations of the right to a fair trial, including coerced confessions, use of torture, denial of access to counsel, and convictions in the absence of sufficiently conclusive evidence or despite exculpatory evidence. International observers reported threats and acts of violence against defendants and defense attorneys within and outside the courtroom, as well as intimidation of trial judges by victims' relatives and friends.

In August 2016 the president signed the Court Bailiffs Bill into law to enhance the security of the courts.

In the criminal corruption trial of presidential candidate and opposition member of parliament (MP) Omurbek Tekebaev, a number of observers noted that a series of procedural rulings against Tekebaev created an appearance of bias. In particular, rulings to halt the testimony of defense witnesses and prohibit the video broadcast of the trial raised questions regarding the impartiality of the proceedings. On August 16, a Bishkek district court sentenced Tekebaev to eight years' imprisonment; however, the judge reduced the sentence to four and a half years, citing amnesty. Tekebaev's lawyers appealed the sentence, and on October 2, the Bishkek city court upheld the lower court's ruling.

Azimjon Askarov, an ethnic Uzbek human rights activist convicted of murder along with seven codefendants in the 2010 killing of a Bazar Korgon police officer, remained imprisoned at year's end. In April 2016 the UN Human Rights Committee issued findings that Askarov had been arbitrarily detained, held in inhuman conditions, tortured and mistreated, and prevented from adequately preparing his defense. The committee called on the government to annul Askarov's conviction, release him immediately, and, if necessary, conduct a new trial. Pursuant to the committee's findings, the Supreme Court convened in July 2016 to reconsider Askarov's case.

The government invited diplomats, journalists, representatives of international organizations, and human rights groups to attend the hearing. In July 2016 the Supreme Court overturned Askarov's life sentence and remanded the case to the

Chui district lower court for additional review. In October 2016 the Chui District Court commenced a retrial of the Askarov case, calling more than 20 witnesses to testify. Askarov actively participated in the courtroom during these proceedings. On January 24, the court upheld Askarov's life sentence.

Trial Procedures

While the law provides for defendants' rights, the customs and practices of the judicial system regularly contradicted the constitutional presumption of innocence, and pretrial investigations focused on the collection of sufficient evidence to prove guilt. The law requires courts to inform defendants promptly and in detail of the charges against them, and to provide interpreters as needed. Trials were conducted in the state language, Kyrgyz, or the official language, Russian. In a majority of trials, courtroom procedure required defendants to sit in caged cells. There is no protection against double jeopardy.

Defense attorneys complained that judges routinely returned cases to investigators if there was not enough evidence to prove guilt, during which time suspects could remain in detention. Judges, according to attorneys, typically gave defendants a suspended sentence regardless of how little evidence existed to sustain a prison term.

Trials were generally open to the public, unless they allegedly involved state secrets or privacy concerns of defendants, and courts announced verdicts publicly, even in closed proceedings. State prosecutors submit criminal cases to courts, while judges direct criminal proceedings. Criminal cases feature a single judge, while three-judge panels conduct appellate cases. Judges have full authority to render verdicts and determine sentences. A limited number of judges have clearance to access documents deemed secret, further circumscribing defendants' access to impartial judicial review in cases purporting to relate to national security.

The law provides for unlimited visits between an attorney and a client during trial, but authorities occasionally did not grant permission for such visits. The government provided indigent defendants with attorneys at public expense, and defendants could refuse legal counsel and defend themselves. HRW, domestic NGOs, and local attorneys reported some state-provided criminal defense lawyers were complicit with prosecutors and did not properly defend their clients. Many observers, particularly in the southern part of the country, described these lawyers as "pocket attorneys" who would help secure bribes from their client to pass to police and judges, which would then secure the client's eventual release.

International observers reported the quality of representation was much worse in rural areas than in the capital. In many cases it was difficult for individuals accused of extremism-related crimes to find an attorney who was not closely connected to police.

The law permits defendants and their counsel to attend all proceedings, question witnesses, present evidence, call witnesses, and access prosecution evidence in advance of trial, but courts frequently did not follow these requirements.

Witnesses typically were required to testify in person. Under certain circumstances courts allowed testimony via audio or video recording. Defendants and counsel, by law, have the right to communicate freely, in private, with no limitation on the frequency. Defendants and prosecutors have the right to appeal a court's decision. An appellate court can increase a lower court's sentence against a defendant.

Political Prisoners and Detainees

Courts convicted opposition party members and ethnic Uzbeks of corruption and politically motivated actions related to violence. On August 16, Omurbek Tekebayev, a presidential candidate for the Ata Meken party, was sentenced to eight years in prison and confiscation of property on charges of corruption. On September 5, the GKNB started criminal proceedings citing perjury against another presidential candidate, Azimbek Beknazarov, who testified at Omurbek's trial. In addition to the imprisonment verdict of Omurbek Tekebayev, former MP Sadyr Japarov was sentenced in early August on kidnapping charges dating back to the 2013 political unrest in the Issyk-Kul region. Officials reported that on April 2, Japarov attempted suicide in prison. His action reportedly was in protest of his family being allegedly detained and beaten. According to NGO observers and a statement by Tekebayev, the arrests appeared to be politically motivated ahead of the October 15 presidential election. In view of outstanding questions surrounding their connection to the violence and the fairness of the trials and appeals, some observers considered the above-mentioned individuals political prisoners.

Civil Judicial Procedures and Remedies

The constitution and law provide for an independent and impartial judiciary in civil matters. As with criminal matters, observers believed the civil judicial system was subject to influence from the outside, including by the government. Local courts address civil, criminal, economic, administrative, and other cases. The Supreme Court is the highest judicial authority. Among the many articles amended by the

December 2016 constitutional referendum was Article 41 of the constitution, which guarantees citizens the right to apply to international human rights bodies seeking protection of violated rights and freedoms in accordance with international treaties. The amendment to Article 41 mandates that the decisions of international bodies are nonbinding and therefore not subject to enforcement by the government.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The law requires approval from the prosecutor general for wiretaps, home searches, mail interception, and similar acts, including in cases relating to national security. The law states officials should use wiretapping of electronic communications exclusively to combat crime and only with a court order. Eleven government agencies have legal authority to monitor citizens' telephone and internet communications.

According to Vozdukh, in May 2016 approximately 20 court officers visited the home of Khadicha Askarova, wife of imprisoned human rights activist Azimjon Askarov, in Bazar-Korgon, Jalal-Abad Province. A court bailiff informed one of Askarova's lawyers that the court had assigned the officers to make an inventory of the property and house in preparation for its confiscation later that month. According to Askarova, the court officers examined the property without providing documentation of the court order. On August 16, Askarov's lawyers attended a hearing at the Bazar-Korgon District Court seeking the release of Askarov's home from government seizure proceedings. The case was unresolved at year's end. On September 5, the PGO admitted officials had violated procedures in the arrest and seizure of Askarova's home, and the government released the property to Askarov's family.

The Law on Defense and Armed Forces authorizes the military to confiscate private property for the purpose of state security.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

The law provides for freedom of expression, including for members of the press, and citizens generally were free to exercise these rights. NGO leaders and media rights advocates, however, asserted the situation worsened during the year, highlighting the increase in libel lawsuits against independent media outlets and

journalists and forced closure of news agencies. Self-censorship was prevalent, and some journalists reported pressure from editors and political figures to bias their reporting on sensitive topics.

Freedom of Expression: As in earlier years, some journalists reported intimidation related to coverage of sensitive topics, such as interethnic relations, “religious extremism,” or the rise of nationalism. The trend was particularly salient against Uzbek-language media outlets. Others were prosecuted or felt threatened for reporting critically on public figures.

On March 18, local and foreign press reported that police disrupted a small rally in support of freedom of speech held in the center of Bishkek. Media rights activists, journalists, and opposition MPs participated in the march, several of whom were detained briefly by police for deviating from the march route and spilling onto the streets of the city. The event, led by a known activist and government critic, Edil Baisalov, was intended to raise awareness of the numerous libel lawsuits and criminal investigations targeting journalists and members of the independent media community.

On September 12, a Bishkek court sentenced journalist Zulpukar Sapanov to four years in prison for inciting “inter-religious strife.” The PGO initiated a criminal investigation of the journalist after representatives of the Spiritual Administration of Muslims filed a complaint in response to the publication of Sapanov’s book, entitled *Kydyr’s Namesake*. The Spiritual Administration of Muslims and the State Commission on Religious Affairs both publicly condemned the book, which analyzed the ethnic and pagan past of the Kyrgyz people. The court found the book contained content that “diminishes the role of Islam as a religion and creates a negative attitude toward Muslims.” On September 29, a Bishkek court reduced Sapanov’s initial sentence to two years’ probation and ordered his immediate release from prison.

Press and Media Freedom: In recent years there were attempts to proscribe independent media from operating freely in the country. Tight government controls over news content on state television was widely acknowledged. Media rights advocates noted increasing pressure on media outlets in advance of the October presidential elections. Such pressure included civil and criminal lawsuits filed against independent media and journalists in connection with their reporting.

On June 9, the GKNB initiated a criminal case against journalist Ulugbek Babakulov for “inciting ethnic hatred and enmity.” Babakulov published an online

article entitled “People Are Like Beasts,” which described nationalist and anti-Uzbek statements of Kyrgyz users on social networks. In response to the article, MPs called for stripping Babakulov’s citizenship, and the journalist became the target of death threats, prompting him to flee the country. Access to the regional news site where the article was originally published, *Fergananews.com*, was subsequently blocked in the country (see Censorship or Content Restrictions below).

Media reported on February 10 that a Bishkek court terminated the PGO’s criminal case against journalist Dayirbek Orunbekov, which sought to collect two million som (\$29,000) in damages for insulting the honor and dignity of the president. Local authorities, however, barred Orunbekov from leaving the country, and he remained legally liable for civil damages. On August 22, a Bishkek court ordered the closure of the opposition television station September for allegedly disseminating extremist material in connection with its airing of a 2016 corruption allegation against former prime minister Sooronbai Jeenbekov. The station broadcast an interview with a former police chief of Osh Oblast, who alleged that Jeenbekov had used state funds to promote interethnic clashes in 2010.

In March the Prosecutor General’s office pursued defamation charges against former member of parliament Cholpon Jakupova, and Zanoza Media (now called Kaktus.Media) co-founders, Dina Maslova and Naryn Aiyp, on behalf of President Atambaev. On November 30, the Supreme Court upheld a ruling requiring the defendants to pay approximately \$430,000 in fines to former President Atambaev for “moral compensation.” Also on December 19, media reported that a court ordered an asset freeze on the television channel NTS, the largest private television channel in the country and widely believed to be affiliated with opposition politician Omurbek Babanov.

There was a small degree of foreign ownership of media through local partners. Nonetheless, on June 3, the president signed amendments to the law on mass media that prohibited a foreign entity from forming a media outlet and limited foreign ownership of television stations. Through local partners, Russian-language television stations dominated coverage and local ratings. A number of Russia-based media outlets operated freely in the country, and the government treated them as domestic media.

Violence and Harassment: Some journalists were subject to harassment and violence. As an example illustrative of several instances, on May 2, MP Zhyldyz Musabekova reportedly threatened journalist Ypel Ankrulova with violence over

corruption allegations published by the journalist. On June 24, Ankrulova filed a complaint against Musabekova with the PGO. The complaint remained pending at year's end.

Censorship or Content Restrictions: As in previous years, journalists and NGO leaders alleged some news outlets instructed their reporters not to report critically on certain politicians or government officials. The sources also reported some news outlets received requests from offices of the government to report in a particular way or to ignore specific news stories.

On June 8, in response to a petition from the PGO, a Bishkek court ruled to block access in the country to *Fergananeews.com* for its decision to publish Babkulov's "People Are Like Beasts" article.

NGO leaders and media contacts reported that state-owned broadcasters continued under pressure to run stories promoting government policies and initiatives and develop narratives critical of NGOs, opposition figures, and civil society activists.

Libel/Slander Laws: While libel is not a criminal offense except in narrowly prescribed instances, NGO leaders described the False Accusations Amendments, passed in 2014, as a practical "recriminalizing of libel." Journalists noted the law exposed media to libel suits in civil courts that could bankrupt the outlets or journalists in their defense attempts. In 2015 the Supreme Court narrowed the reach of the law, holding that henceforth it would only apply in cases of knowingly making false statements in a police report but not to statements in media. A prominent libel case against the online media outlet Zanoza (see below), however, appeared to contradict the Supreme Court's 2015 holding. Libel is not a criminal offense.

From March through April, the PGO filed five civil lawsuits against web-based news outlet Zanoza, and two against Azattyk, the Kyrgyz service of broadcaster Radio Free Europe/ Radio Liberty for "offending the honor and dignity" of the president. The suits stemmed from published articles pertaining to statements made by politicians and activists about the president. On May 12, the president requested that the PGO drop the lawsuits against Azattyk, but over the summer, Bishkek courts ruled against Zanoza in separate hearings, finding the outlet liable for damages in the amount of 27 million som (\$391,000). One of the co-founders of Zanoza and a defendant in one of the suits, Naryn Ayip, stated that the court's decisions were designed to force the site to close.

The OSCE's International Election Observation Mission Statement of Preliminary Findings and Conclusions after the October 15 presidential elections noted that television outlets, including public broadcasters, "failed to provide sufficient and unbiased news coverage of the campaign." The OSCE also assessed that "defamation claims against media by the incumbent president and other candidates had an adverse effect on public debate and resulted in self-censorship among journalists."

Freedom House noted "insult" and "insult of public officials" were criminal offenses and that the law is detrimental to the development of freedom of speech and mass media in the country. The head of the Media Policy Institute reported that the organization routinely defended journalists charged with libel and slander, and members of media regularly feared the threat of lawsuits.

Internet Freedom

The government generally allowed access to the internet, including social media sites, and there were no public credible reports the government monitored private online communications without appropriate legal authority. Nonetheless, NGOs reported police regularly monitored lesbian, gay, bisexual, transgender, and intersex (LGBTI) chat rooms and dating sites and arranged meetings with LGBTI users of the sites to extort money from them.

According to the International Telecommunication Union, the internet penetration rate was 34 percent.

According to the PGO, authorities had blocked 86 websites as of the beginning of the year. These sites involved groups that the government deemed to be terrorist or extremist, as well as sites advertising sexual services. Four of the sites involved the banned religious group Hizb ut-Tahrir.

In May 2016 parliament passed an amendment to the law on countering extremist activity that authorizes the Ministry of Transport and Communications to block internet websites spreading extremist and terrorist materials without a court order. During the year there were no reports the government utilized this law.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom. Institutions providing advanced religious education must follow strict reporting policies, but they reported no restrictions on academic freedom.

b. Freedoms of Peaceful Assembly and Association

The law provides for the freedoms of peaceful assembly and association, and the government generally respected these rights.

Freedom of Peaceful Assembly

The constitution provides for this right, and the government generally respected it, with some exceptions. Organizers and participants are responsible for notifying authorities of planned assemblies, but the constitution prohibits authorities from banning or restricting peaceful assemblies, even in the absence of prior notification. Local authorities, however, have the right to demand an end to a public action and, in the event of noncompliance, are empowered to take measures to end assemblies.

According to media reports in August, a Bishkek court ruled to ban peaceful protests, meetings, and other public gatherings from July 27 to October 20 in certain parts of the capital city where protesters typically gather, including the central Ala-Too Square, the parliament, the Government House (Old Square), the Central Election Commission (CEC) buildings, and the Pervomaisky District Court. On August 9, police arrested a demonstrator at the CEC building for violating the ban.

Freedom of Association

The law provides for freedom of association, and the government generally respected it. NGOs, labor unions, political parties, and cultural associations must register with the Ministry of Justice. NGOs are required to have at least three members and all other organizations at least 10 members. The Ministry of Justice did not refuse to register any domestic NGOs. The law prohibits foreign-funded political parties and NGOs, including their representative offices and branches, from pursuing political goals.

The government continued to maintain bans on approximately 21 “religiously oriented” groups it considered to be extremist, including al-Qaida, the Taliban, the Islamic Movement of Eastern Turkistan, the Kurdish People’s Congress, the

Organization for the Liberation of Eastern Turkistan, Hizb ut-Tahrir, the Union of Islamic Jihad, the Islamic Party of Turkistan, the Unification (Mun San Men) Church, Takfir Jihadist, Jaysh al-Mahdi, Jund al-Khilafah, Ansarullah At-Takfir Val Hidjra, Akromiya, ISIS, Djabhat An Nusra, Katibat al-Imam al-Buhari, Jannat Oshiqdari, and the Jamaat al-Tawhid wal-Jihad. Authorities also continued the ban on all materials or activities connected to A. A. Tihomirov, also known as Said Buryatsky. On June 15, a Bishkek court added Yakyn Incar to the list of banned extremist groups.

Similar to recent years, numerous human rights activists reported continued arrests and prosecution of persons accused of possessing and distributing Hizb ut-Tahrir literature (see section 1.d.). Most arrests of alleged Hizb ut-Tahrir members occurred in the southern part of the country and involved ethnic Uzbeks. The government charged the majority of those arrested with possession of illegal religious material. In some cases NGOs alleged police planted Hizb ut-Tahrir literature as evidence against those arrested.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/.

d. Freedom of Movement

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights. The law on internal migration provides for freedom of movement. The government generally respected this right, and citizens usually were able to move within the country with ease. The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other organizations to provide some protection and assistance to refugees, asylum seekers, stateless persons, and other persons of concern.

A 2016 amendment to the law on combating terrorism and extremism revokes citizenship of anyone convicted of terrorist and extremist activities. The law was not used during the year.

Foreign Travel: The law on migration prohibits travel abroad by citizens who have or had access to information classified as state secrets until the information is declassified.

Protection of Refugees

As of October UNHCR reported there were 343 refugees in the country. There were continued reports of Uzbek refugees seeking refugee status due to fear of abuse by the Uzbek government.

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. The law on refugees includes nondiscrimination provisions covering persons who were not refugees when they left their country of origin and extends the validity of documents until a final decision on status is determined by a court.

Employment: UN-mandated refugees who lacked official status in the country do not have legal permission to work. They were therefore susceptible to exploitation by employers paying substandard wages, not providing benefits, and not complying with labor regulations. They could not file grievances with authorities. Refugees with official status in the country have legal permission to work.

Access to Basic Services: UN-mandated refugees and asylum seekers who lacked official status were ineligible to receive state-sponsored social benefits. Refugees with official status in the country have access to basic services.

Stateless Persons

UNHCR officials stated the country's stateless persons fell into several categories. As of October, 2,135 individuals were listed as stateless, a significant decrease from the approximately 11,700 stateless individuals in 2016, due in large part to a country-wide registration and documentation campaign conducted jointly by UNHCR, the government, and nongovernmental partners. As of 2015 there were an estimated 700 Uzbek women who married Kyrgyz citizens but never received Kyrgyz citizenship (many such women allowed their Uzbek passports to expire, and regulations obstructed their efforts to gain Kyrgyz citizenship). Other categories included Roma, individuals with expired Soviet documents, children born to one or both parents who were stateless, and children of migrant workers who renounced their Kyrgyz citizenship in the hope of becoming Russian citizens. The government denied access to social benefits and official work documents to stateless persons, who lacked sufficient legal standing to challenge exploitative labor conditions in court. The State Registration Service maintained its database of stateless persons based only on those who contacted it.

Section 3. Freedom to Participate in the Political Process

The constitution provides citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage. In practice there were some procedural and technical irregularities.

Elections and Political Participation

Recent Elections: On October 15, voters elected former prime minister of the ruling Social Democratic Party of Kyrgyzstan, Sooronbai Jeenbekov, with approximately 55 percent of the total vote, allowing for the peaceful transfer of power from one democratically elected president to another. The OSCE deemed the elections competitive with 11 candidates who were generally able to campaign freely; however, cases of misuse of administrative resources, pressure on voters, and vote buying remained a concern.

Local NGOs deemed the December 2016 municipal elections “competitive,” although reports of technical problems were widespread and media reported alleged isolated incidents of ballot stuffing and other irregularities. The election results reflected no single political party domination. The same NGOs expressed concern about possible misuse of administrative resources to boost voter turnout in a concurrent referendum on amending the constitution. According to the government, 80 percent voted in favor of the amendments with 39 percent voter turnout.

In 2015, in an effort to implement high-tech voting identification as a protection against fraud, parliament passed a law allowing only those who submitted their biometric data, or fingerprints, to register on the voter rolls. A number of human rights and NGO leaders expressed concern about possible disenfranchisement because of required biometric registration. Later in 2015 the constitutional court ruled the biometric registration law constitutional.

Political Parties and Political Participation: Members of the 120-seat parliament are selected through a national “party list” system. After voting has occurred, party leaders regularly reorder the lists, often to the disadvantage of women.

Participation of Women and Minorities: No laws limit participation of women or members of minorities in the political process, and they did participate. The election code requires the names of male and female candidates be intermixed on

party lists and that no more than 70 percent of candidates on a party list can be of the same gender.

By law women must be represented in all branches of government and constitute no less than 30 percent of state bodies and local authorities. The law does not specify the level of the positions at which they must be represented.

National minorities, which made up 35 percent of the population but held only 10 percent of parliamentary seats, remained underrepresented in both elected and appointed government positions.

Section 4. Corruption and Lack of Transparency in Government

While the law provides criminal penalties for public officials convicted of corruption, the government did not implement the law effectively, and officials frequently engaged in corrupt practices with impunity. According to Transparency International, official corruption cases appeared to be selectively investigated and prosecuted. The payment of bribes to avoid investigation or prosecution was a major problem at all levels of law enforcement. Law enforcement officers, particularly in the southern part of the country, frequently employed arbitrary arrest, torture, and the threat of criminal prosecution as a means of extorting cash payments from citizens (see section 1.d.).

Corruption: The only government body empowered to investigate corruption was the anticorruption branch of the GKNB. It is not an independent government entity, and its budget remained within the operating budget of the GKNB. The agency's cooperation with civil society was limited, and its investigations led to very few cases going to trial.

On June 7, the PGO announced the prosecution of several former leaders of the GKNB, one of whom is currently the acting head of the State Committee for Defense Affairs. The case implicated the GKNB leaders and members of the housing commission for their role in the illegal distribution of apartments for GKNB staff in 2011. The case continued at the end of the year.

Financial Disclosure: The law requires all public officials to publish their income and assets. The State Personnel Service is responsible for making this information public. Officials who do not disclose required information may be dismissed from office, although this punishment was not regularly enforced.

On August 3, the president signed a law on the declaration of incomes, expenditures, liabilities, and property for those holding state and municipal offices. The law took effect October 1.

Since 2016 the law requires that judges and candidates for judgeships declare their property, income, and expenditures to deter corruption in the judicial system.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights

Numerous domestic and international human rights organizations operated actively in the country. Nevertheless, governmental actions at times impeded their ability to operate freely. Government officials were rarely cooperative and responsive to their views.

On July 5, Kyrgyz border guards denied the entry of Russian citizen, Vitaliy Ponomarev, a human rights activist and the Central Asia program director for the human rights center “Memorial,” following his attendance at a human rights conference in the Kyrgyz Republic. After the conference, Ponomarev traveled to Kazakhstan and was later denied re-entry to the Kyrgyz Republic. According to Ponomarev’s lawyer, the GKNB was responsible for the entry ban. In 2009 Ponomarev was barred from entering the Kyrgyz Republic after investigating the 2008 civil disturbances in the southern city of Nookat.

The United Nations or Other International Bodies: The government permitted visits by representatives of the UN and other organizations in connection with the investigation of abuses or monitoring of human rights problems in the country, including those of the OSCE, the ICRC, the Norwegian Helsinki Committee, and the International Organization for Migration (IOM). The government restricted visits to Azimjon Askarov but otherwise provided international bodies largely unfettered access to civil society activists, detention facilities and detainees, and government officials.

On April 27, the OSCE Permanent Council in Vienna downgraded the OSCE Center in the country to a program office. The downgrade resulted in the closure of all OSCE field offices in the country and instituted a consultative mechanism effectively granting the government the ability to approve or deny all proposed OSCE projects.

Government Human Rights Bodies: The Office of the Ombudsman acted as an independent advocate for human rights on behalf of private citizens and NGOs and had the authority to recommend cases for court review. Observers noted the atmosphere of impunity surrounding the security forces and their ability to act independently against citizens limited the number and type of complaints submitted to the ombudsman's office. The government established the Office of the Ombudsman in 2002 and the National Center to Prevent Torture in 2012. The human rights community cooperated with the National Center and effectively conducted routine and unannounced visits to prisons.

During the first half of the year, the ombudsman's office received 25 torture complaints.

Although the ombudsman's office exists in part to receive complaints of human rights abuses and pass the complaints to relevant agencies for investigation, both domestic and international observers questioned the office's efficiency. Parliament took steps to restrict the ombudsman's independence, voting in June 2015 to remove ombudsman Baktybek Amanbaev--an action Amanbaev called politically motivated. In December 2015 parliament elected Kubat Otorbaev, a former general director of the state-owned television and broadcasting corporation, as ombudsman.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

Women

Rape and Domestic Violence: Rape, including spousal rape, is illegal, but as in previous years, the government failed to enforce the law effectively, and rape cases were underreported. Penalties for conviction of sexual assault range from three to eight years' imprisonment. Prosecutors rarely brought rape cases to court. Police generally regarded spousal rape as an administrative, rather than a criminal, offense.

While the law specifically prohibits domestic violence and spousal abuse, violence against women and girls remained a significant yet underreported problem. Penalties for domestic violence convictions range from fines to 15 years' imprisonment, the latter if abuse resulted in death. In 2015 HRW catalogued a range of violent forms of domestic violence and found that the government did not sufficiently investigate and prosecute cases, provide services and support for survivors, pursue protection, or penalize perpetrators. In the small number of

reported cases reviewed by courts over recent years, many charges were considered administrative offenses rather than crimes, thus carrying a lesser punishment.

On April 28, the president signed a new domestic violence law, which streamlined procedures for the issuance of protective orders and increased protections for the victims of domestic violence. The law requires police to file cases of domestic violence, and recognizes economic violence as a form of abuse in addition to physical and psychological abuse. The law had not yet entered full force by year's end.

Many crimes against women went unreported due to psychological pressure, economic dependence, cultural traditions, fear of stigma, and apathy among law enforcement officers. There were also reports of spouses retaliating against women who reported abuse.

Organizations assisting battered women lobbied successfully to streamline the legal process for obtaining protective orders. The government provided offices to the Sezim Shelter for victims of domestic abuse and paid its expenses.

Other Harmful Traditional Practices: Although prohibited by law, the practice of kidnapping women and girls for forced marriage continued. The Commission on Security and Cooperation in Europe estimated that each year 12,000 young women are kidnapped into forced marriages and 20 percent are raped in the process. Kidnapped brides are more likely to be victims of domestic abuse and are limited in their pursuit of education and employment. The negative effect of the practice extended to children of kidnapped brides. An August study by Duke University reported that children born to kidnapped brides had lower birth weights, an indicator for potential long-term health and development issues. Observers reported there was a greater frequency of early marriage, polygamy, and bride kidnapping in connection with unregistered religious marriages. This also affected data availability on such marriages.

Some victims of bride kidnapping went to the local police to obtain protective orders, but authorities often poorly enforced such orders. Although in 2013 the government strengthened the penalty for conviction of bride kidnapping to a maximum of 10 years in prison, NGOs continued to report no increase in the reporting or prosecution of the crime.

Sexual Harassment: According to the local NGO Shans, sexual harassment was widespread, especially in private-sector workplaces and among university students, but it was rarely reported or prosecuted. The law prohibits physical sexual assault but not verbal sexual harassment.

Coercion in Population Control: There were no reports of coerced abortion, involuntary sterilization, or other coercive population control methods. Estimates on maternal mortality and contraceptive prevalence are available at: www.who.int/reproductivehealth/publications/monitoring/maternal-mortality-2015/en/.

Discrimination: The law provides for the same legal status and rights for women and men, but because of poor enforcement of the law, discrimination against women persisted.

As in previous years, data from NGOs working on women's issues indicated women were less healthy, more abused, less able to work outside the home, and less able than men to determine independently the disposition of their earnings.

Children

Birth Registration: Although the law provides that every child born in the country has the right to receive a birth certificate, local registration, and citizenship, some children were stateless (see section 2.d.). Children of migrant parents who moved to and acquired citizenship of another country had to prove both of their parents were Kyrgyz citizens to acquire Kyrgyz citizenship.

Education: The law provides for compulsory and free education for the first nine years of schooling or until age 14 or 15. Secondary education is free and universal until age 17. The government did not provide free basic education to all students, and the system of residence registration restricted access to social services, including education for children who were refugees, migrants, or noncitizens. Families of children in public school students often paid burdensome and illegal administrative fees.

Child Abuse: According to NGO and UN reports, child abuse, including beatings, child labor, and commercial sexual exploitation of boys and girls, were problems.

Early and Forced Marriage: Children ages 16 and 17 may legally marry with the consent of local authorities, but the law prohibits civil marriages before age 16

under all circumstances. Although illegal, the practice of bride kidnapping continued (see section 6, Women). The kidnapping of underage brides remained underreported. The National Statistics Commission estimated that 15 percent of married women between the ages of 25 and 49 married before age 18, and 1 percent under the age of 15. A 2015 HRW report on domestic abuse found inadequate government attention focused on addressing bride kidnapping or other forms of early and forced marriage. In November 2016 the president signed a law criminalizing religious marriages involving minors. No prosecutions were filed.

Sexual Exploitation of Children: The criminal code prohibits the sale of children, child trafficking, child prostitution and child pornography, as well as other sexual crimes against children. The law criminalizes the sale of persons and forced prostitution and provides penalties for conviction of up to 15 years in prison if the victim is a child. The law also makes it a crime to involve someone in prostitution by violence or the threat of violence, blackmail, destroying or damaging property, or fraud.

The criminal code prohibits the distribution of child pornography and the possession of child pornography with the intent to distribute. The law does not specifically define child pornography, and the criminal code does not fully criminalize computer-related use, access to child pornography online, or simple possession of child pornography.

According to UNICEF, children under age 18 in Bishkek were involved in prostitution. Although precise figures were not known, police stated that typical cases of child prostitution involved young girls from rural areas who relocated to Bishkek for educational opportunities or to flee from an abusive family environment. Once in the capital, they entered the sex trade due to financial pressures. There were allegations of law enforcement officials' complicity in human trafficking; police officers allegedly threatened, extorted, and raped child sex-trafficking victims. The government reportedly has not investigated allegations of government employees complicit in human trafficking offenses.

Under the criminal code, it is illegal for persons ages 18 and older to have sexual relations with someone under age 16.

Displaced Children: As in previous years, there were numerous reports of child abandonment due to parents' lack of resources, and large numbers of children lived in institutions, foster care, or on the streets. Approximately 80 percent of street children were internal migrants. Street children had difficulty accessing

educational and medical services. Police detained street children and sent them home if an address was known or to a rehabilitation center or orphanage.

Institutionalized Children: State orphanages and foster homes lacked resources and often were unable to provide proper care, sometimes resulting in, for example, the transfer of older children to mental health-care facilities even when they did not exhibit mental health problems.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at travel.state.gov/content/childabduction/en/legal/compliance.html.

Anti-Semitism

According to the NGO Open Position, the Jewish population in the country was approximately 500-700. There were no reports of anti-Semitic comments in mainstream media.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities, but such persons faced. The law mandates access to buildings for persons with disabilities, requires access to public transportation and parking, and authorizes subsidies to make mass media available to persons with hearing or vision disabilities, and free plots of land for the construction of a home. The government generally did not ensure proper implementation of the law. In addition, persons with disabilities often had difficulty finding employment because of negative societal attitudes and high unemployment among the general population.

A lack of government resources made it difficult for persons with disabilities to receive adequate education. Although children with disabilities have the right to an education, the Association of Parents of Children with Disabilities stated schools often denied them entry. The government funded programs to provide

school supplies and textbooks to children with mental or physical disabilities. According to UNICEF one-third of children with disabilities were institutionalized.

As in previous years, conditions at psychiatric hospitals were substandard, stemming largely from inadequate funding. The government did not adequately provide for basic needs, such as food, water, clothing, heating, and health care, and facilities were often overcrowded.

Authorities usually placed children with mental disabilities in psychiatric hospitals rather than integrating them with other children. Other residents were also committed involuntarily, including children without mental disabilities who were too old to remain in orphanages. The Youth Human Rights Group monitored the protection of children's rights in institutions for children with mental and physical disabilities. The group previously noted gross violations by staff at several institutions, including depriving young residents of sufficient nourishment and physically abusing them.

The PGO is responsible for protecting the rights of psychiatric patients and persons with disabilities. According to local NGO lawyers, members of the PGO had no training and little knowledge of the protection of these rights and were ineffective in assisting citizens with disabilities. Most judges lacked the experience and training to make determinations as to whether it was appropriate to mandate committing persons to psychiatric hospitals, and authorities institutionalized individuals against their will.

Several activists noted authorities still had not implemented a 2008 law requiring employers to provide special hiring quotas for persons with disabilities (approximately 5 percent of work positions).

National/Racial/Ethnic Minorities

Tensions between ethnic Uzbeks, who comprised nearly 15 percent of the population, and ethnic Kyrgyz remained problematic, particularly in Southern Osh Oblast where Uzbeks make up almost one-half the population. Discrimination against ethnic Uzbeks in business and government, as well as harassment and reported arbitrary arrests, illustrated these tensions. Ethnic Uzbeks reported large public works and road construction projects in predominantly Uzbek areas, often undertaken without public consultation, interfered with neighborhoods and destroyed homes.

Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

LGBTI persons whose sexual orientation or gender identity was publicly known risked physical and verbal abuse, possible loss of jobs, and unwanted attention from police and other authorities. Inmates and officials often openly victimized incarcerated gay men. Forced marriages of lesbians and bisexual women to men also occurred. The Labrys Public Foundation noted the continued practice of “corrective rape” of lesbians to “cure” their homosexuality.

Members of the LGBTI community continued to report attempts to forcibly “out” gays, lesbians and transgender persons on social media. Specifically, secretly recorded LGBTI wedding ceremonies and LGBTI participants were posted on social media pages, drawing unwanted attention and negative comments.

In 2014 HRW released a report based on interviews with 40 LGBTI persons chronicling instances of extortion, beatings, and sexual assault. The report described in detail how police patrolling parks and bars frequented by gay men would threaten them with violence and arrest or threaten to reveal their homosexuality to their families if they did not pay bribes. These practices, according to representatives of the LGBTI community, continued during the year. NGO leaders in the southern part of the country reported an even greater threat.

HIV and AIDS Social Stigma

While the law protects against discrimination and stigmatization of persons with HIV/AIDS, according to UNAIDS, people living with HIV continued to encounter high levels of stigma and discrimination. According to 2015 Stigma Index data, HIV-positive persons felt fear or experienced verbal abuse, harassment and threats, with some reporting incidents of physical abuse and assault. Loss of employment and lack of access to housing were reported due to social stigma of HIV/AIDS status.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides workers the right to form and join trade unions. The law allows unions to conduct their activities without interference and provides them the right to organize and bargain collectively. Workers may strike, but the requirement to

receive formal approval made striking difficult and complicated. The law on government service prohibits government employees from striking, but the prohibition does not apply to teachers or medical professionals. The law does not prohibit retaliation against striking workers.

Many unions reportedly operated as quasi-official institutions that took state interests into consideration rather than representing workers' interests exclusively. The Federation of Trade Unions (FTU) remained the only umbrella trade union in the country. Unions were not required to belong to the FTU, and there were several smaller unaffiliated unions.

The government effectively enforced these rights. Workers exercised their right to join and form unions, and unions exercised the right to organize and bargain collectively. Union leaders, however, generally cooperated with the government, and international observers judged that unions represented the interests of their members poorly. In past years some unions alleged unfair dismissals of union leaders and the formation of single-company unions.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor. The law specifically prohibits the use of force, fraud, or coercion for the purpose of sex or labor exploitation and prescribes penalties that were sufficient to deter violations. Forced labor is also prohibited by the labor code and the code on children. The government did not fully implement legal prohibitions, and victim identification remained a concern.

The Ministry of Labor provided a toll-free telephone line to the IOM to provide information to potential migrants and to help victims of labor trafficking.

There were some cases of forced labor, mostly involving children in the agricultural sector (see section 7.c.).

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

c. Prohibition of Child Labor and Minimum Age for Employment

The law sets the minimum legal age for basic employment at 16, except for work performed without a signed employment contract or work considered to be "light,"

such as selling newspapers, in which children as young as age 14 may work with the permission of a parent or guardian. The law prohibits employment of persons under age 18 at night, underground, or in difficult or dangerous conditions, including in the metal, oil, and gas industries; mining and prospecting; the food industry; entertainment; and machine building. Children ages 14 or 15 may work up to five hours a day, not to exceed 24 hours a week; children ages 16 to 18 may work up to seven hours a day, not exceeding 36 hours a week. These laws also apply to children with disabilities. Violation of the law incurs penalties ranging from fines to imprisonment of up to 10 years, depending on the nature and severity of the offense. Weak enforcement and a lack of prosecution of violations continued to pose challenges to deterrence. Almost all child labor is in agriculture based on the 2014 National Child Labor Survey.

Despite some advancement in efforts to eliminate the worst forms of child labor, it remained a problem. According to recent reports, children continued to be engaged in agricultural work in cotton cultivation as well as in selling and transporting goods at bazaars.

The PGO and the State Labor Inspectorate (Inspectorate) are responsible for enforcing employers' compliance with the labor code. According to the Inspectorate, inspectors conducted infrequent and ineffective child labor inspections to ensure appropriate enforcement of the labor laws. Since many children worked for their families or were self-employed, it was difficult for the government to determine whether work complied with the labor code.

See also the Department of Labor's *Findings on the Worst Forms of Child Labor* at www.dol.gov/ilab/reports/child-labor/findings/.

d. Discrimination with Respect to Employment and Occupation

The law prohibits discrimination with respect to employment and occupation on the basis of sex, race, ethnicity, language, origin, property, official status, age, place of residence, religion, and political convictions, membership in public organizations, or other circumstances irrelevant to professional capacities. The government did not effectively enforce applicable law, and the nature of penalties for conviction of violations was insufficient to deter violations. Uzbeks in the south also complained it was hard to start a small business due to discriminatory practices in licensing and registering a business with the local authorities.

Average wages for women were substantially less than for men. Women made up the majority of pensioners, a group particularly vulnerable to deteriorating economic conditions. In rural areas traditional attitudes toward women limited them to the roles of wife and mother and curtailed educational opportunities. Members of the LGBTI community reported discrimination in the work place when they were open about their sexual orientation. Persons with HIV-positive status faced discrimination regarding hiring and security of employment. Persons with disabilities were subjected to discrimination in hiring and access to the workplace.

e. Acceptable Conditions of Work

The official national minimum monthly wage was 1,140 som (\$17). Employers generally paid somewhat higher wages. The law on minimum wage states it should rise gradually to meet the cost of living. The minimum wage is less than the official government's 2015 poverty line of 31,573 som (\$458) per year. The National Statistics Committee reported the average monthly salary was 14,166 som (\$205).

The standard workweek is 40 hours, usually within a five-day week. For state-owned industries, there is a mandated 24-hour rest period in a seven-day workweek. According to the labor code, overtime work cannot exceed four hours per day or 20 hours per week, and workers must receive compensatory leave or premium pay of between 150 and 200 percent of the hourly wage. These provisions were mainly enforced at large companies and organizations with strong trade unions. Employees of small and informal firms fall under the law but generally had no union representation.

The National Statistics Committee defined informal economic activity as household units that produce goods and services primarily to provide jobs and income to their members. The government estimated only 24 percent of the population worked in the formal sector of the economy, while the rest worked in the informal economy.

Safety and health conditions in factories were poor. The law establishes occupational health and safety standards that were appropriate to main industries, but the government generally did not enforce them. Penalties for violation of the law range from community service to fines and were insufficient to deter violations. The law does not provide workers the right to remove themselves from a hazardous workplace without jeopardizing their employment. The State Labor

Inspectorate is responsible for protecting workers and carrying out inspections for all types of labor problems. Labor inspectors' activities were limited and insufficient to enforce business compliance. The law does not provide for occupational health and safety standards for workers in the informal economy.

Government licensing rules placed strict requirements on companies recruiting citizens to work abroad, and the Ministry of Labor, Migration, and Youth licensed such companies. The government regularly published a list of licensed and vetted firms. Recruiters were required to monitor employer compliance with employment terms and the working conditions of labor migrants while under contract abroad. Recruiters were also required to provide workers with their employment contract prior to their departure.