

Responses to Recommendations

KYRGYZSTAN

Review in the Working Group: 03 May 2010
 Adoption in the Plenary: 21 September 2010

Kyrgyzstan's responses to recommendations (as of 13.01.2011):

In the Report of the Working Group:	In the Addendum:	During the plenary:	Summary:
127 REC accepted; 41 pending	No addendum	Out of the 41 pending, 25 are accepted, 3 rejected, 6 commented with no clear position and 12 are left pending ¹ . The 127 recommendations accepted in the Working Group are transformed into voluntary commitments	Accepted: 152 Rejected: 3 No clear position: 6 Pending: 12

List of recommendations contained in Section II of the Report of the Working Group A/HRC/15/2:

76. The recommendations formulated during the interactive dialogue and listed below have been examined by Kyrgyzstan and enjoy its support:

- A - 1. Sign and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Spain);
- A - 2. Ratify, as soon as possible, the Second Optional Protocol to the International Covenant on Civil and Political Rights (Belgium);
- A - 3. Become party to the Second Optional Protocol to the International Covenant on Civil and Political Rights (Argentina);
- A - 4. Establish constitutional reforms that will guarantee the separation of powers, the rule of law, the independence of the judiciary and the civil and democratic rights of Kyrgyzstan's citizens (Germany);

¹ The total number of REC is 45 as four REC have been split in two or three parts.

A - 5. Proposed constitutional reform should provide for the comprehensive protection and promotion of all human rights and fundamental freedoms (Pakistan);

A - 6. That the ongoing constitutional reform should provide for the comprehensive promotion and protection of all human rights, with particular emphasis on the rights of women and children (Egypt);

A - 7. Provide for the comprehensive protection and promotion of all human rights and fundamental freedoms within the envisaged constitutional reform (Armenia);

A - 8. Re-establish expeditiously constitutional order and the rule of law in the country, and ensure full accountability for all human rights violations following the events of 6 to 7 April 2010 (Slovakia);

A - 9. That the provisional Government urgently take all steps necessary to ensure the holding of the referendum on the new constitution and parliamentary elections – announced for 27 June and 10 October 2010 - in a free, fair and democratic manner, and fully take into account the relevant expert opinion of the Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe, as well as of the Venice Commission of the Council of Europe (Austria);

A - 10. Take on board the opinions of the Office for Democratic Institutions and Human Rights of the Organization of Security and Cooperation in Europe and the Venice Commission of the Council of Europe in the organization of the constitutional referendum and parliamentary elections (Ireland);

A - 11. Take into account the relevant expert opinions of the Office for Democratic Institutions and Human Rights and the Venice Commission in organizing the constitutional referendum and the elections announced for 27 June and 10 October 2010, respectively (Italy);

A - 12. Abide by all its international obligations and commitments and ensure an early return to constitutional order, the rule of law and respect for human rights (Latvia);

A - 13. Continue to implement its national plans, including for the reform of its human rights legislation, and further to improve the effectiveness of enforcing its national laws (Saudi Arabia);

A - 14. Bring the Law on Peaceful Assembly into compliance with international human rights standards (Hungary);

A - 15. Adopt legislation on the National Preventative Mechanism in line with international standards and fully implement it (United Kingdom of Great Britain and Northern Ireland);

A - 16. That the provisional Government ensure full respect for the rule of law and human rights and, in this regard, abide by all of Kyrgyzstan's international obligations and commitments (Lithuania);

A - 17. Review the compliance of its national legislation with provisions of the International Covenant on Civil and Political Rights on freedom of expression, association and assembly (Czech Republic);

A - 18. Guarantee freedom of the media in the draft media law in accordance with international standards (Ireland);

A - 19. Provide for the comprehensive protection and promotion of all human rights and fundamental freedoms enshrined in the Universal Declaration of Human Rights (Tajikistan);

A - 20. Establish a national preventive mechanism that will constitutionally guarantee the rights of all people, particularly the rights of minorities (Tajikistan);

A - 21. Continue to strengthen the national preventive mechanism (Democratic People's Republic of Korea);

A - 22. Improve and strengthen good governance, institutions and the rule of law for long-term stability (Kazakhstan);

A - 23. Guarantee that its national mechanism respects all the provisions of the Optional Protocol to the Convention Against Torture, ensuring that it has all the necessary financial and human resources (Switzerland);

A - 24. Establish a national preventive mechanism that would constitutionally/institutionally guarantee the rights of all people, particularly the rights of minorities (China);

A - 25. Establish a national preventive mechanism that will constitutionally guarantee the rights of all people, particularly the rights of minorities (Afghanistan);

A - 26. Place emphasis on the rights of women and children in its policies and programmes (Tajikistan);

A - 27. Adopt a zero-tolerance policy towards corruption (Tajikistan);

A - 28. Adopt a zero-tolerance policy towards corruption (Afghanistan);

A - 29. Fight corruption at all levels (Jordan);

A - 30. Continue its reform of the system to protect children and enhance the social services for its population through the "New Generation" programme (Kuwait);

A - 31. Strengthen its policy for the full guarantee of the rights of the child, with attention to implementing the Guidelines for the Alternative Care of Children, according to resolution 11/7 of the Human Rights Council and 64/142 of the General Assembly (Brazil);

A - 32. Seize this opportunity to create a corruption-free environment (Singapore);

A - 33. Continue the same level of methodology and transparency; we consider that the content of the report reflects the importance of the work to be carried out in spite of the challenges (Palestine);

A - 34. Speed up the drafting of the strategy to protect human rights and civil rights (Libyan Arab Jamahiriya);

A - 35. Activate the New Generation programme with regard to children's rights and initiate cooperation with UNICEF and other relevant international human rights organizations (Libyan Arab Jamahiriya);

A - 36. Continue to place emphasis on the rights of women and children in its policies and programmes (Pakistan);

A - 37. Place emphasis on the rights of women and children in its policies and programmes (Afghanistan);

A - 38. To the current authorities, protect all human rights and respect democratic principles and the rule of law (Switzerland);

A - 39. Strengthen policies for the protection of the rights and interests of children (Angola);

A - 40. Seek to incorporate human rights considerations in accordance with Kyrgyzstan's international obligations in any reform process it plans to carry out (Lebanon).

A - 41. Continue to cooperate with the United Nations and the Human Rights Council in protecting and promoting human rights (Lao People's Democratic Republic);

A - 42. That the temporary Government draw upon the expertise of the Office for Democratic Institutions and Human Rights and the High Commissioner on National Minorities of the Organization for Security and Cooperation in Europe, and the Venice Commission of the Council of Europe with regard to the constitutional reform and rapid democratic elections (Norway);

A - 43. Work closely with civil society organizations and other international organizations in the implementation of the recommendations emanating from this process (Austria);

A - 44. Further improve its cooperation with all United Nations human rights mechanisms, submitting its overdue reports to treaty bodies, as well as its response to communications of the special procedures (Slovakia);

A - 45. Continue to promote women's emancipation in all spheres of society (Angola);

A - 46. Give special regard to women and children and enhance their enjoyment of human rights and fundamental freedoms (Jordan);

A - 47. Ensure that the new constitution guarantees equality between women and men (Austria);

A - 48. Ensure that gender issues are appropriately addressed in its future programmes (Lebanon);

A - 49. Continue to empower women and broaden the scope for their participation in society (Bangladesh);

A - 50. Adopt all provisions necessary to prevent acts of torture and cruel, inhuman or degrading treatment committed by penitentiary or law enforcement personnel, and establish a system for the independent monitoring of all detention centres without exception (France);

A - 51. Fight against torture, in particular torture against minors (Italy);

A - 52. Undertake clear commitments to put an end to all forms of intimidation, harassment, aggression, arbitrary arrest and detention, and torture against all persons, in particular human rights defenders, peaceful demonstrators and journalists (France);

A - 53. Strengthen its safeguards against torture, including through the improvement of conditions in prisons and detention facilities and the establishment of a complaint mechanism for victims of torture (Czech Republic);

A - 54. Condemn the use of torture and other ill treatment and ensure the prompt, impartial and comprehensive investigation of all complaints involving the torture of any person subjected to any form of arrest, detention or imprisonment (Denmark);

A - 55. The Government of Kyrgyzstan reopen proceedings related to the events in Nookat and ensure that allegations of torture are investigated and that all evidence obtained through coercion is disregarded (Netherlands);

A - 56. Ensure the full legal protection of the freedom of children from physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including corporal punishment in any setting, and take further practical measures to stem the occurrence of violence against children (Sweden);

A - 57. Stop all acts of intimidation, corporal punishment or arrest linked to the activities of human rights defenders, political activists and journalists, and guarantee freedom of expression, without introducing any provisions restricting its exercise (Argentina);

A - 58. Take further legislative and practical measures to end violence against women, in particular also addressing the problem of bride kidnapping (Austria);

A - 59. Further improve measures to address the problems related to gender issues, including violence against women, through, inter alia, the establishment of effective coordination and the strengthening of an enforcement and judicial system for the greater protection of women and girls (Malaysia);

A - 60. High priority is given to the fight against domestic violence, forced marriages and trafficking in human beings, including through the strengthening of provisions for the investigation of and punishments for such crimes, the provision of support and protection to the victims, and raising public awareness of them (Czech Republic);

A - 61. Adopt measures to ensure full compliance with laws criminalizing bride kidnapping, forced marriage and polygamy, as well as the training of police and judicial staff in strengthening those mechanisms aimed at respecting the rights and protection of victims of domestic violence (Argentina);

A - 62. Intensify in practice sanctions in cases of domestic violence, bridekidnapping, forced marriage, polygamy and discrimination against women due to sexual orientation, as well as promote mechanisms of protection that guarantee the rights of victims of domestic violence (Uruguay);

A - 63. Address the situation of children living or working on the street and juvenile offenders; intensify measures to criminalize and sanction cases involving the sale of children, child prostitution and child pornography; and initiate reforms of the juvenile justice system in line with international standards (Uruguay);

A - 64. Continue making efforts to take effective measures for the promotion and protection of women's and children's rights, including improvements with regard to the issues of bride-kidnapping, domestic violence, child abuse and the sale of children (Japan);

A - 65. Continue its institutional efforts to combat human trafficking (Pakistan);

A - 66. Ensure that the independence of the judiciary is fully guaranteed in its legal framework (Ireland);

A - 67. That the gradual entry into force of the 2009 Law on Jury Trials be accompanied by substantial preparatory work with judges, together with awareness-raising, and with the inclusion of the human rights education in practice (Hungary);

A - 68. Provide and improve training programmes on human rights for the judiciary, law enforcement personnel and lawyers (Jordan);

A - 69. Establish a juvenile judiciary (Afghanistan);

A - 70. Take measures to ensure the full independence of the judiciary and to ensure that guarantees of fair trial for everyone are implemented (Austria);

A - 71. Introduce human rights education and training to members of the police and prison and detention staff, and ensure their accountability for human rights violations (Czech Republic);

A - 72. Ensure a prompt and independent investigation regarding the loss of lives resulting from the violence in April this year, for the purpose of justice and confidence-building in Kyrgyzstan (Norway);

A - 73. That all attacks on journalists are thoroughly investigated in a timely manner (Netherlands);

A - 74. Investigate and punish cases involving the intimidation, harassment, persecution and torture of journalists, activists and human rights defenders, as well as participants in demonstrations (Uruguay);

A - 75. Consider increasing the minimum age of marriage for girls (Jordan);

A - 76. Raise the minimum age for marriage and establish a juvenile judiciary (Egypt);

A - 77. Continue actions to improve the situation of women, and take additional actions to eliminate forced or arranged marriage, polygamy and sexual violence (Lithuania);

A - 78. Investigate all attacks on journalists and members of the opposition, and take appropriate measures to fight against impunity for such crimes (Slovenia);

A - 79. Guarantee an environment for journalists free of intimidation and attacks (Italy);

A - 80. Take steps to ensure the safety of journalists and to properly investigate attacks against them (Lithuania);

- A - 81. Continue to take all the measures necessary to prevent interference with press freedom and the work of human rights defenders (Switzerland);
- A - 82. Take measures to ensure the right to freedom of expression, including guaranteeing unhindered access for independent media to airtime and the Internet, and to introduce criminal measures for the threatening of journalists and media outlets (Canada);
- A - 83. Take measures to ensure the unhindered exercise of freedom of expression and freedom of assembly (Austria);
- A - 84. Take all measures necessary to ensure full respect for the freedom of expression in accordance with Kyrgyzstan's international obligations (Sweden);
- A - 85. Protect the rights of the victims of the recent mass riots (Tajikistan);
- A - 86. That official, individualized documents be presented to human rights defenders whose bans are lifted (Norway);
- A - 87. That the forces of a free society (human rights defenders, journalists and lawyers working in defence of a free media, civil liberties and human rights in Kyrgyzstan) be allowed to operate in the country (Norway);
- A - 88. Ensure that the basic civil and political rights of civil society organizations are protected in line with the obligations set out in the International Covenant on Civil and Political Rights (Spain);
- A - 89. Ensure the effective implementation of freedom of assembly, and, in particular, guarantee that participants in peaceful assemblies, as well as civil society activists and political parties, are free from pressure and are not prosecuted for exercising this right (Lithuania);
- A - 90. Guarantee in law and in practice the right to the freedoms of expression, association and peaceful assembly, as well as the right of all citizens to participate, without discrimination, in the country's public and political life, including the right to vote and be elected. In this regard, it is urgent that the bill on freedom of assembly be concluded and approved. (Mexico);
- A - 91. Intensify efforts to ensure at least 30 per cent representation of women in central and local state bodies, including at the decision-making level, in line with presidential decree No. 136 of 20 March 2006 (Algeria);
- A - 92. Hold open and transparent elections (Tajikistan, Pakistan);
- A - 93. Hold free and fair elections as soon as possible (Canada);
- A - 94. Hold open and transparent elections (Afghanistan);
- A - 95. In light of the upcoming elections, implement key OSCE commitments for democratic elections (Slovenia); **2**
- A - 96. Organize the forthcoming referendum and elections in line with international standards, including the opinions of the Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe and the Venice Commission of the Council of Europe (United Kingdom of Great Britain and Northern Ireland);
- A - 97. Consider inviting international observers to the upcoming electoral processes, which will be held in the next months, to ensure that the new authorities are elected democratically and by legal means (Mexico);
- A - 98. That the organization of a transparent and inclusive election process in compliance with international standards is undertaken as a matter of priority, together with the thorough transparent, impartial and independent investigation of the recent violent events (Czech Republic);
- A - 99. Do its utmost to guarantee the holding of open and transparent elections on the dates set (Lebanon);

- A - 100. Implement urgently the provisions enshrined in the ILO Worst Forms of Child Labour Convention, with special emphasis on articles 1 and 6 (Hungary);
- A - 101. Eliminate the practice of requiring boys and girls to work in the educational institutions where they are enrolled (Spain);
- A - 102. Further protect children's rights; in particular, fully implement the prohibition of child labour and adopt legislation providing for responsibility for the use of child labour (Lithuania);
- A - 103. Adopt and implement necessary measures, including its national programme of action of the social partners for the eradication of the worst forms of child labour, with a view to eliminating this phenomenon (Slovakia);
- A - 104. Ensure that all journalists and human right defenders can work in safe conditions (Denmark);
- A - 105. Ensure that measures are in place to fight and eradicate child labour (Denmark);
- A - 106. Fight poverty and provide high-quality education and health care for sustainable development (Kazakhstan);
- A - 107. Pursue development policies and programmes aimed at poverty alleviation and eradication (Pakistan);
- A - 108. Pursue development policies and programmes aimed at poverty alleviation and eradication (China);
- A - 109. Pursue development policies and programmes aimed at poverty alleviation (Egypt);
- A - 110. Pursue development policies and programmes aimed at poverty alleviation and eradication (Tajikistan);
- A - 111. Pursue development policies and programmes aimed at poverty eradication (Afghanistan);
- A - 112. Continue its efforts aimed at the development of policies and programmes for poverty alleviation and eradication, with special emphasis on vulnerable groups, including people with disabilities and women and children, and mainstream a gender perspective into all relevant policies and programmes being developed (Armenia);
- A - 113. Take serious steps to eradicate poverty, especially in rural areas, and improve living standards (Islamic Republic of Iran);
- A - 114. Continue its efforts to combat poverty with the support of the international community (Bangladesh);
- A - 115. Focus on the development of an efficient education system for all throughout the country (Iran);
- A - 116. Protect the rights of people with disabilities (Tajikistan, Afghanistan);
- A - 117. Strengthen its efforts to eradicate the illegal spread of narcotic drugs (Pakistan);
- A - 118. Continue its efforts to preserve the nation's ethnic diversity and promote its cultural heritage (Pakistan);
- A - 119. That anti-minority attacks be publicly condemned by authorities, and that such attacks are investigated in order to bring the perpetrators to justice (Norway);
- A - 120. That the minority communities be included in the process of constitution-making and the formulation of the Electoral Code, in order to take into account their wishes and aspirations (Norway);

A - 121. That inclusive and longer-term measures be taken with respect to linguistic policy, education and participation in decision-making for minorities (Norway);

A - 122. Ensure full respect for minority rights in the new constitution (Austria);

A - 123. Cooperate actively with the international community and international financial institutions in the implementation framework for development cooperation programmes, in order to fully implement the protection and promotion of human rights (Kazakhstan);

A - 124. Continue its efforts to combat terrorism financing and de-legitimize income generated through criminal means (Kuwait);

A - 125. Share experience and good practices with others (Lao People's Democratic Republic);

A - 126. Strengthen cooperation with the international community and organizations including the United Nations in building capacity and technical cooperation in crucial areas such as poverty eradication, increase access to sanitation, education, combating drug abuse and illegal drug trafficking (Malaysia);

A - 127. Make efforts to strengthen national capacities in the field of human rights while benefiting from the technical assistance of the Office of the High Commissioner for Human Rights (Iran).

77. The following recommendations will be examined by Kyrgyzstan, which will provide responses in due course, but no later than the fifteenth session of the Human Rights Council, in September 2010:

A - 1. Consider ratifying the International Convention for the Protection of All Persons from Enforced Disappearance, the Convention on the Rights of Persons with Disabilities and its Optional Protocol, the Second Optional Protocol to the International Covenant on Civil and Political Rights and P - the ratification of the Rome Statute, and

NC - accomplish the Human Rights Voluntary Goals set out in resolution 9/12 of the Human Rights Council (Brazil);

A - 2. Sign and ratify the International Convention for the Protection of All Persons from Enforced Disappearance (France);

A - 3. Ratify the Convention on the Rights of Persons with Disabilities (Iran);

A - 4. Sign and ratify the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto;

P - the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights; and A - the International Convention for the Protection of All Persons from Enforced Disappearance (Spain);

A - 5. Consider adhering to the Convention on the Rights of Persons with Disabilities (Algeria);

A - 6. Consider acceding to the Convention the Rights of Persons with Disabilities (Jordan);

A - 7. Consider acceding to the Convention on the Rights of Persons with Disabilities, and devise national policies and legislation to protect the rights of persons with disabilities (Egypt);

NC - 8. Ratify the Rome Statute of the International Criminal Court (Austria);

A - 9. Become a party to the Convention on the Rights of Persons with Disabilities and its Optional Protocol, and to the International Convention for the Protection of All Persons from Enforced Disappearance (Argentina);

NC - 10. Ratify the Rome Statute of the International Criminal Court, including accession to the Agreement on Privileges and Immunities (Slovakia);²

² In the concluding remarks, the delegation said this rec. was taken note, despite commenting it earlier.

NC - 11. Ratify the Rome Statute establishing the International Criminal Court, as well as the A - International Convention on the Protection of All Persons from Enforced Disappearance (Uruguay);

NC - 12. Modify relevant legislation; in particular, remove provisions of the Criminal Code on the prosecution of journalists for libel (Lithuania);

A - 13. Review the compliance of its national legislation with provisions of the International Covenant on Civil and Political Rights on non-discrimination, in particular with regard to women and persons of minority ethnicity, sexual orientation or gender identity (Czech Republic);

A - 14. Harmonize its national legislation with what has been recommended by Committee on the Elimination of Racial Discrimination (Uruguay);

NC - 15. Remove the offence of liable for journalists from the Criminal Code (Ireland);

A - 16. Establish a National Human Rights Institution accredited with the International Coordinating Committee of the National Human Rights Institutions (Algeria);

A - 17. Consider establishing an independent national human rights institution in conformity with the Paris Principles (Malaysia);

A - 18. Develop a well-functioning human rights infrastructure, including by establishing a national human rights institution, strengthening the mandate of the Ombudsman and R - setting up a specialized body responsible for gender issues (Norway);

A - 19. Consider establishing an independent national human rights institution in conformity with the Paris Principles (Egypt);

R - 20. Create a specific institution to ensure the proper implementation of measures related to gender equality and violence (Spain);

R - 21. Put in place a specialized body specifically responsible for gender issues (Ireland);

P - 22. Consider issuing a standing invitation to United Nations human rights special procedures (Brazil);

P - 23. Issue a standing invitation to the special procedures of the Human Rights Council (France);

P - 24. Issue an open and standing invitation to all special procedures of the Human Rights Council (Spain);

A - 25. Issue an invitation to the Special Rapporteur on Torture to visit Kyrgyzstan in 2010 (Canada);

P - 26. Issue a standing invitation to all special procedures of the Human Rights Council (Austria);

P - 27. Issue a standing invitation to the human rights special procedures (Czech Republic);

P - 28. Issue a standing invitation to the United Nations mechanisms and procedures (Uruguay);

P - 29. Consider favourably issuing a standing invitation to all special procedures in order to further its cooperation with the United Nations human rights mechanisms (Republic of Korea);

P - 30. Consider extending a standing invitation to all special procedures of the Human Rights Council (Latvia);

A - 31. Review the national implementation of the principle of non-refoulement (Czech Republic);

A - 32. Sanction very severely cases involving domestic violence and forced marriages, and ensure that there is a proper legal framework for protecting women against violence (Switzerland);

A - 33. Review and strengthen existing legislation prohibiting violence against women and discrimination on any grounds; allocate significant financial and human resources to enforce implementation of policy, and increase accountability measures for acts of violence by state actors (Canada);

A - 34. Take concrete measures to ensure the effective application of the law on domestic violence, and in particular increase human and financial resources for this purpose (Belgium);

A - 35. Undertake the corresponding measures to improve the birth registry system as recommended by the Committee on the Rights of the Child (Uruguay);

P - 36. In regard to freedom of movement, make more flexible the requirements for those people who change their place of residence within the country so that they have equitable access to social security, health care, education and pensions (Mexico);

A - 37. Review the Law on Religion so as to ensure that the right to freedom of religion is upheld in compliance with international legal standards (Netherlands);

NC - 38. Introduce measures to ensure and promote the freedom and security of reporters and human rights defenders, including revoking the criminal liability of journalists for libel and slander, and refrain from endorsing measures that limit the activity of independent civil society (United Kingdom of Great Britain and Northern Ireland);

A - 39. Train armed forces and police in the respect of fundamental rights of the citizens, notably the right to assembly and legally ban the disproportional use of force against its own population (Germany);

A - 40. Request cooperation and technical assistance from the relevant UN bodies for the removal of land mines and the demarcation of border zones, as well as to improve the distribution of drinking water and the access to sanitation services (Uruguay);

A - 41. Respect in all circumstances the principle of non-refoulement, guarantee that asylum seekers have an asylum procedure which is in line with international standards, and respond to the requests for information made by the Committee on the Elimination of Racial Discrimination regarding the treatment of asylum seekers (Belgium);

Notes

2 The original recommendation read as follows: "In light of the upcoming elections, implement these OSCE recommendations"(Slovenia).

Disclaimer: This classification was made by UPR Info based on United Nations documents and webcast. For more information about this document, read our "Methodology". For questions, comments and/or corrections, please write to info@upr-info.org