

The Kyrgyz Republic

<i>Selected Statistics and Indicators on Child Labor</i>	
Percent of children 7-14 estimated as working in 1998:	9.2% ²³⁸⁶
Minimum age of work:	16 ²³⁸⁷
Age to which education is compulsory:	9 years or until age 14 ²³⁸⁸
Free public education:	Yes ²³⁸⁹
Gross primary enrollment rate in 2002:	101% ²³⁹⁰
Net primary enrollment rate in 2002:	89% ²³⁹¹
Percent of children 7-14 attending school in 1998:	91.6% ²³⁹²
Percent of primary school entrants likely to reach grade 5:	Unavailable
Ratified Convention 138:	3/31/1992 ²³⁹³
Ratified Convention 182:	5/10/2004 ²³⁹⁴
ILO-IPEC participating country:	Yes, associated ²³⁹⁵

Incidence and Nature of Child Labor

In 1998, approximately 10.2 percent of boys and 8.1 percent of girls ages 7 to 14 were working in The Kyrgyz Republic.²³⁹⁶ Children work selling goods (such as newspapers, cigarettes, candy, alcohol, and gasoline), loading and unloading goods, collecting aluminum and bottles, begging, cleaning and repairing shoes, and washing cars. Some children also work in transportation and construction. The UN estimates that 7,000 children are working in Bishkek.²³⁹⁷ A 2003 UNICEF-supported survey of 207 street and working children in Bishkek found that up to 90 percent of those children did not attend school at all.²³⁹⁸ In southern rural

²³⁸⁶ UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*, October 7, 2005.

²³⁸⁷ U.S. Department of State, "Kyrgyz Republic," in *Country Reports on Human Rights Practices- 2006*, Washington, DC, 2007, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2006/78821.htm>. See also UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties Under Article 44 of the Convention*, CRC/C/104/Add.4, April 5 2004, para. 70. See also U.S. Embassy- Bishkek, *reporting*, December 18, 2006.

²³⁸⁸ U.S. Department of State, "Country Reports- 2006: Kyrgyz Republic," Section 5.

²³⁸⁹ Ibid.

²³⁹⁰ UNESCO Institute for Statistics, *Gross and Net Enrolment Ratios, Primary, Total*, accessed December 20, 2006.

²³⁹¹ Ibid.

²³⁹² UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*.

²³⁹³ ILO, *List of Ratifications of International Labor Conventions*, February 5, 2007; available from <http://webfusion.ilo.org/public/db/standards/normes/appl/appl-byConvYear.cfm?hdoff=1&Lang=EN&conv=C138>.

²³⁹⁴ ILO, *List of Ratifications of International Labor Conventions, Worst Forms of Child Labor Convention, 1999*, February 5, 2007; available from <http://webfusion.ilo.org/public/db/standards/normes/appl/appl-byConvYear.cfm?hdoff=1&Lang=EN&conv=C182>.

²³⁹⁵ ILO-IPEC, *IPEC Action Against Child Labour: Highlights 2006*, Geneva, October 2006; available from http://www.ilo.org/iloroot/docstore/ipecc/prod/eng/20061019_Implementationreport_eng_Web.pdf.

²³⁹⁶ UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity and School Attendance Rates*.

²³⁹⁷ UN Office for the Coordination of Humanitarian Affairs, *Kyrgyzstan: Child Labour Remains Rife*, June 26, 2006 [cited October 22, 2006]; available from

<http://www.irinnews.org/report.asp?ReportID=54174&SelectRegion=Asia&SelectCountry=KYRGYZSTAN>.

²³⁹⁸ UNICEF's Executive Board, *Draft Country Programme Document: Kyrgyzstan*, E/ICEF/2004/P/L.14, United National Economic and Social Council, April 1, 2004, 3.

areas, reports indicate that children work in coal mines and in brick making.²³⁹⁹ There were also reports of children mining near uranium waste dumps.²⁴⁰⁰

Children are allegedly taken out of school to harvest cotton. Children also work on commercial tobacco farms.²⁴⁰¹ Some schools have reportedly required students to participate in the tobacco harvest in fields located on school grounds. Proceeds from the harvest are collected by the schools and do not go to the children.²⁴⁰² Children are also found working on family farms and in family enterprises such as selling products at roadside kiosks.²⁴⁰³ ILO reports indicate that a large number of children from rural areas are sent to urban areas to live with wealthier relatives and to work as domestic servants.²⁴⁰⁴

Children are vulnerable to commercial sexual exploitation in urban areas throughout the country. Children engaged in prostitution are primarily girls between 11 and 16.²⁴⁰⁵ It has been asserted that at least 20 percent of prostitutes in Bishkek were minors in 2000.²⁴⁰⁶ The Kyrgyz Republic is considered a country of origin and transit for trafficked children. There are reports of children being trafficked for sexual exploitation and forced labor.²⁴⁰⁸ The trafficking of Kyrgyz boys to Russia and Kazakhstan for the purpose of sexual exploitation occurs.²⁴⁰⁹ The internal trafficking of children for sexual exploitation and labor from rural areas to Bishkek and Osh has been reported.²⁴¹⁰

Child Labor Laws and Enforcement

The law establishes the minimum age for basic employment as 16, except in limited circumstances.²⁴¹¹ Limited light work is permitted at age 14. The maximum work hours for

²³⁹⁹ ILO-IPEC and SIAR, *Child Labour in Kyrgyzstan: An initial study*, summary report, Bishkek, 2001, 14. See also U.S. Department of State, "Kyrgyz Republic," in *Country Reports on Human Rights Practices- 2004*, Washington, DC, 2005, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2004/41690.htm>. See also UN Committee on the Rights of the Child, *NGO Commentaries to the Initial Report of the Kyrgyz Republic on the UN Convention on the Rights of the Child*, 26; available from <http://www.crin.org/docs/resources/treaties/crc.24/kyrgyzstanNGOreport.doc>.

²⁴⁰⁰ UN Office for the Coordination of Humanitarian Affairs, *Kyrgyzstan: Child Labour Remains Rife*.

²⁴⁰¹ U.S. Department of State, "Country Reports- 2006: Kyrgyz Republic," Section 6d.

²⁴⁰² Ibid. See also UN Committee on the Rights of the Child, *NGO Commentaries*, 27.

²⁴⁰³ U.S. Department of State, "Country Reports- 2006: Kyrgyz Republic," Section 6d.

²⁴⁰⁴ Youth Human Rights Group, *Alternative NGO Report to the United Nations Committee on the Rights of the Child in Relation to the Examination of the Second Periodic Report by the Kyrgyz Republic on the Implementation of the UN Convention on the Rights of the Child*, April 2004, 27; available from http://www.crin.org/docs/resources/treaties/crc.37/kyrgyzstan_ngo_report.pdf. See also ILO-IPEC and SIAR, *Child Labor in Kyrgyzstan*, 15-17.

²⁴⁰⁵ Institute for War and Peace Reporting (IWPR), *Lost Children of Central Asia*, January 19, 2004.

²⁴⁰⁶ UN Committee on the Rights of the Child, *NGO Commentaries*, 27.

²⁴⁰⁸ U.S. Department of State, "Country Reports- 2006: Kyrgyz Republic," Section 5. See also Youth Human Rights Group, *Alternative NGO Report*, 16.

²⁴⁰⁹ U.S. Department of State, "Kyrgyz Republic (Tier 2)," in *Trafficking in Persons Report- 2006*, Washington, DC, June 5, 2006; available from <http://www.state.gov/g/tip/rls/tiprpt/2006/>.

²⁴¹⁰ U.S. Department of State, "Country Reports- 2006: Kyrgyz Republic," Section 6d.

²⁴¹¹ Ibid. See also UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties: Kyrgyzstan*, para. 70.

children ages 14 and 15 are 5 per day and for children ages 16 and 17 are 7 per day. The employment of persons under 18 is banned in certain industries including oil and gas, mining and prospecting, food, entertainment, and machine building.²⁴¹² Children studying in educational establishments are forbidden from participating in agricultural or other work not related to their schooling.²⁴¹³ The law penalizes parents who restrict their children's access to schooling, but it is not strictly enforced, especially in rural areas.²⁴¹⁴ The penalty for preventing a child from attending school ranges from a public reprimand to 1 year of forced labor.²⁴¹⁵

Both the Constitution and the law prohibit forced labor, including by children, under most circumstances.²⁴¹⁶ The minimum age for recruitment to active military service is age 18; however, boys age 17 may volunteer for military schools.²⁴¹⁷ Prostitution is not illegal, but the operation of brothels, pimping, and recruiting persons into prostitution is punishable by up to 5 years in jail.²⁴¹⁸ A lack of legal regulation and oversight makes prostitution an ongoing problem.²⁴¹⁹ The law prohibits trafficking in persons and imposes punishments of up to 20 years imprisonment.²⁴²⁰ The law grants immunity from prosecution to victims of trafficking who cooperate with authorities.²⁴²¹

The General Procurator's Office and the State Labor Inspectorate are responsible for enforcing child labor laws, but, since many children work in the informal sector and small and medium-sized business that do not have employment contracts, it is difficult to determine their adherence to the law. The Federation of Trade Unions also has the right to carry out child labor inspections when it receives a complaint.²⁴²² The Office of the Ombudsman has a special department dealing with the rights of minors. It has the authority to order other agencies to deliver information or conduct investigations.²⁴²³ The U.S. Department of State reports that child labor laws were not adequately enforced and that the Labor Inspectorate only conducts compliance checks at large industrial sites where child labor is less likely to occur.²⁴²⁴

The Interior Ministry has a special anti-trafficking police unit.²⁴²⁵ Prosecution is difficult in trafficking cases due to the reluctance of victims to file charges. Law enforcement is hampered

²⁴¹² U.S. Department of State, "Country Reports- 2006: Kyrgyz Republic," Section 6d.

²⁴¹³ UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties: Kyrgyzstan*, para. 340.

²⁴¹⁴ U.S. Department of State, "Country Reports- 2006: Kyrgyz Republic," Section 5.

²⁴¹⁵ UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties: Kyrgyzstan*, para. 67.

²⁴¹⁶ Government of Kyrgyzstan, *Constitution of the Kyrgyz Republic*, (February 17, 1996), Article 28. See also U.S. Department of State, "Country Reports- 2006: Kyrgyz Republic," Section 6c.

²⁴¹⁷ Coalition to Stop the Use of Child Soldiers, "Kyrgyzstan," in *Child Soldiers Global Report- 2004*; available from <http://www.child-soldiers.org/>.

²⁴¹⁸ U.S. Department of State, "Country Reports- 2006: Kyrgyz Republic," Section 5. See also ECPAT International CSEC Database, *Kyrgyz Republic*, accessed July 5, 2006; available from <http://www.ecpat.net>.

²⁴¹⁹ U.S. Department of State, "Country Reports- 2006: Kyrgyz Republic," Section 5.

²⁴²⁰ Ibid.

²⁴²¹ U.S. Department of State, "Trafficking in Persons Report- 2006: Kyrgyz Republic."

²⁴²² U.S. Department of State, "Country Reports- 2006: Kyrgyz Republic," Section 6d.

²⁴²³ UN Committee on the Rights of the Child, *Summary Record of the 987th Meeting: Kyrgyzstan*, September 29, 2004, paras. 38 and 47; available from <http://www.unhcr.ch/tbs/doc.nsf/Documentsfrset?OpenFrameSet>.

²⁴²⁴ U.S. Department of State, "Country Reports- 2006: Kyrgyz Republic," Section 6d.

²⁴²⁵ Ibid., Section 5.

by widespread corruption. Victims reported that local police, immigration officers, and airport security officials often cooperated with highly organized trafficking operations.²⁴²⁶ Efforts are being made to eliminate government corruption as it relates to trafficking. In February 2006, fines for government officials that violate visa rules for foreigners were increased.²⁴²⁷

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

In June 2006, the Kyrgyz Government adopted the code “On Children.” It includes sections on children’s rights, freedoms, and the elimination of the worst forms of child labor.²⁴²⁸

With assistance from the IOM, the government now issues new forgery-resistant passports intended to reduce incidents of human trafficking in the Kyrgyz Republic.²⁴²⁹ An IOM-sponsored program involves strengthening the capacity of local NGOs to assist and reintegrate victims of trafficking.²⁴³⁰ Office space has been provided by local governments for anti-trafficking NGOs.²⁴³¹ The government has distributed brochures and booklets for migrant workers about the threat of trafficking. Government-run media outlets broadcast programs about trafficking.²⁴³²

The Government of the Kyrgyz Republic is participating in a USD 2.5 million USDOL-funded ILO-IPEC sub-regional project that will enhance the capacity of national institutions to eliminate the worst forms of child labor in the Kyrgyz Republic and share information and experiences across Central Asia.²⁴³³

²⁴²⁶ Ibid. See also U.S. Embassy- Bishkek, Email Communication to USDOL official, July 24, 2007.

²⁴²⁷ U.S. Department of State, "Trafficking in Persons Report- 2006: Kyrgyz Republic."

²⁴²⁸ ILO-IPEC, *CAR Capacity Building Project: Regional Program on the Worst Forms of Child Labour*, technical progress report, Geneva, August 31, 2006, 3.

²⁴²⁹ UN Office for the Coordination of Humanitarian Affairs, "Kyrgyzstan: New Passport to Help Reduce Human Trafficking," August 4, 2004; available from http://www.irinnews.org/report.asp?ReportID=42509&SelectRegion=Central_Asia&SelectCountry=KYRGYZSTAN.

²⁴³⁰ IOM, *Development of NGOs Capacity to Provide Assistance to Victims of Trafficking in the Kyrgyz Republic (NCPA)*, [online] [cited June 15, 2005].

²⁴³¹ U.S. Department of State, "Trafficking in Persons Report- 2006: Kyrgyz Republic."

²⁴³² Ibid.

²⁴³³ ILO-IPEC, *CAR Capacity Building Project: Regional Program on the Worst Forms of Child Labour*, project document, RER/04/P54/USA, Geneva, September 2004.