

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW AND PRACTICE THAT DELAYED ADVANCEMENT

In 2020, the Kyrgyz Republic made minimal advancement in efforts to eliminate the worst forms of child labor. The government ratified International Labor Organization P029, Protocol of 2014 to the Forced Labor Convention, and drafted a National Action Plan to Combat Trafficking in Persons for 2021–2024. However, despite new initiatives to address child labor, the Kyrgyz Republic is assessed as having made only minimal advancement because it continued to implement a law and practice that delays advancement in eliminating the worst forms of child labor. The government extended a 2019 moratorium on labor inspections until 2022. Although the government amended this moratorium in 2020 to permit labor inspections based on formal complaints, the Ministry of Economy must approve worksite visits associated with such inspections, and in practice, it announces these visits in advance. As a result, unannounced inspections remain severely restricted. Children in the Kyrgyz Republic are subjected to the worst forms of child labor, including in commercial sexual exploitation. Children also engage in child labor in agriculture. Protections to children granted in the Labor Code, such as the minimum age of employment, are not extended to children engaged in non-contractual employment, and research indicated that labor law enforcement efforts are not targeted to all sectors in which children are vulnerable to child labor, especially agriculture. In addition, the scope of social programs to combat child labor is insufficient to fully address the extent of the problem.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in the Kyrgyz Republic are subjected to the worst forms of child labor, including in commercial sexual exploitation. (1,2) Children also engage in child labor in agriculture. (3-7) Table 1 provides key indicators on children’s work and education in the Kyrgyz Republic. Data on some of these indicators are not available from the sources used in this report.

Table 1. Statistics on Children’s Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	34.0 (Unavailable)
Attending School (%)	5 to 14	94.7
Combining Work and School (%)	7 to 14	38.4
Primary Completion Rate (%)		108.6

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (8)

Source for all other data: International Labor Organization’s analysis of statistics from Multiple Indicator Cluster Survey 6 (MICS 6), 2018. (9)

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

Table 2. Overview of Children’s Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Cultivating or harvesting cotton, tobacco,† rice, potatoes, beans, and onions (3,5-7,10-14)
	Herding cattle (1)
Industry	Coal mining† (3,15)
	Brick making (13,15)
	Construction, including lifting and portering construction materials, and cutting metal sheets for roofs (3,7,13,16)
Services	Working in bazaars and markets, including portering, shining shoes, collecting plastic bottles and garbage, and selling items, including food and beverages (5,11,12,15)
	Washing cars (13)
	Working in restaurants and cafes (5,7,13,15)
	Street work, including begging and shoe shining (10,11)
	Domestic work, including child care (10)

Kyrgyz Republic

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW AND PRACTICE THAT DELAYED ADVANCEMENT

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Categorical Worst Forms of Child Labor [‡]	Commercial sexual exploitation (1,2,13)
	Use in illicit activities, including trafficking drugs, as a result of human trafficking (17)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Child labor, including hazardous child labor, is most prevalent in Naryn and Osh provinces. (3) Children from the Kyrgyz Republic who travel to Kazakhstan to work, either with their parents or unaccompanied, cannot attend school due to a lack of documentation. These children engage in child labor in Kazakhstan in construction, farming, herding, or selling products in markets; some fall victim to forced child labor. (18) Within the Kyrgyz Republic, children of labor migrants have been identified in child labor in markets. (19)







The inability to enroll in school makes children from a variety of circumstances vulnerable to child labor. According to UNICEF, an estimated 650,000–750,000 citizens of the Kyrgyz Republic work abroad, and an additional 1 million are internal migrants. (20) Some children, who have either migrated with their parents or were left behind when their parents migrated to work in other countries or other areas of the Kyrgyz Republic, cannot access their birth certificates or guardianship documents, which are required for school enrollment. (6,20) Children living and working on the street and children living in rural areas also have difficulty accessing education. (13) In rare cases, some parents prevent children from attending school for religious reasons. (6,21)

In addition, children with disabilities face challenges accessing education in the Kyrgyz Republic. Approximately 3,000 children with disabilities live in residential institutions or special schools, often because of a recommendation from the Ministry of Science and Education against enrolling a child with disabilities in mainstream school. (22) The majority of these institutional schools offer only 9 grades of education, compared to 11 offered at mainstream schools, and grant children a certificate that is not accepted at higher education institutions. The Ministry of Science and Education refers some children with disabilities for home education, which is often fewer than 5 hours a week. (22)

II. LEGAL FRAMEWORK FOR CHILD LABOR

The Kyrgyz Republic has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

In 2020, the government ratified ILO P029, Protocol of 2014 to the Forced Labor Convention. (23)

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in the Kyrgyz Republic’s legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work.

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW AND PRACTICE THAT DELAYED ADVANCEMENT

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	16	Articles 6 and 18 of the Labor Code (24)
Minimum Age for Hazardous Work	Yes	18	Articles 294 and 446 of the Labor Code; Article 72 of the Code on Administrative Liability; Article 15 of the Code on Children (24–26)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 294 of the Labor Code; Decree 565 on the List of works prohibited for persons under age 18 (24,27)
Prohibition of Forced Labor	Yes		Articles 10 and 446 of the Labor Code; Article 15.2 of the Code on Children; Article 1 of the Law on Preventing and Combating Human Trafficking; Article 173 of the Criminal Code (24,25,28,29)
Prohibition of Child Trafficking	Yes		Article 1 of the Law on Preventing and Combating Human Trafficking; Article 171 of the Criminal Code (28,29)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 166–168 of the Criminal Code; Articles 5 and 15 of the Code on Children (25,28)
Prohibition of Using Children in Illicit Activities	Yes		Articles 180–181 and 267–268 of the Criminal Code; Articles 5 and 15 of the Code on Children (25,28)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 24.1 of the Law on Military Service (30)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Articles 17.1 and 22.1 of the Law on Military Service; Article 392 of the Criminal Code (28,30)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 392 and 395 of the Criminal Code (28)
Compulsory Education Age	Yes	16‡	Article 16 of the Law on Education (31)
Free Public Education	Yes		Article 16 of the Law on Education (31)

‡ Age calculated based on available information (31)

In 2020, the government adopted a revised list of hazardous work prohibited for children under age 18. (27)

According to Article 6 of the Labor Code, protections to children granted in the labor code, such as the minimum age for employment, are not extended to children engaged in non-contractual employment. (24)

Article 18 of the Labor Code prohibits children age 14 from working during school hours, and requires that parents give written permission for children age 14 to work. Children age 15 may work only for employers who have received permission from a worker's organization or a government regulatory body. (24) Articles 91 and 95 of the Labor Code also restrict the number of hours that children under age 16 may engage in light work. Children ages 14 and 15 may not work more than 24 hours per week, and daily shifts may not exceed 5 hours during school breaks or 2.5 hours when school is in session. (24) However, the Kyrgyz Republic does not have a list of activities in which light work may be permitted. (32)

Although Article 166 of the Criminal Code criminalizes the involvement of children in prostitution, no law clearly criminalizes the users (clients) of prostitution involving children. In addition, prohibitions under Article 167 against offering children for prostitution do not cover children ages 16–17. (28,33)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, the absence of unannounced inspections conducted at the national level in the Kyrgyz Republic may impede the enforcement of child labor laws.

Kyrgyz Republic

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW AND PRACTICE THAT DELAYED ADVANCEMENT

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
State Inspectorate on Ecological and Technical Safety	Monitors worksites and refers child laborers to social services. Coordinates with the Inspectorate for Minors' Affairs in the Ministry of Internal Affairs (MOIA), the Prosecutor General's Office, and regional State District Administration authorities to enforce child labor laws. (13,15)
MOIA	Enforces criminal laws related to child labor, including its worst forms. Conducts independent inspections and joint raids with the State Inspectorate on Ecological and Technical Safety to identify violations, which can be referred to the Prosecutor General's Office for prosecutorial action. (13)
Prosecutor General's Office	Implements and enforces state policy and law related to child protection, including guaranteeing children's rights and enforcing laws prohibiting the worst forms of child labor. (1)
National Referral Mechanism	Establishes procedures and policies for (a) identification of victims of human trafficking, (b) referrals for and provision of social services to victims, and (c) protection of victims' personal data. (34,35)
Helpline for Children	Hotline operated by the Ministry of Labor and Social Development through which children, parents, and legal guardians can report child abuse and exploitation, including the worst forms of child labor, and receive referrals for services. (36,37) Received 128,567 calls in 2020. The government reported that no calls resulted in the identification of child victims of human trafficking; however, information was not available on whether cases referred through the hotline involved other worst forms of child labor. (36)

Due to the COVID-19 pandemic, the Prosecutor General's Office restricted activities and worked remotely between March and September 2020, which may have limited some investigation and prosecution efforts related to the worst forms of child labor. Reports indicate that the pandemic also slowed implementation of the National Referral Mechanism (NRM). (36)

Labor Law Enforcement

In 2020, lack of authorization to conduct unannounced inspections in the Kyrgyz Republic may have impeded the enforcement of child labor laws (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	Unknown (13)	Unknown (4)
Number of Labor Inspectors	30 (13)	27 (5)
Inspectorate Authorized to Assess Penalties	Yes (13)	Yes (24)
Initial Training for New Labor Inspectors	Unknown	Yes (38)
Training on New Laws Related to Child Labor	Yes (13)	Yes (38)
Refresher Courses Provided	Yes (13)	No (5)
Number of Labor Inspections Conducted	504†(13)	Unknown
Number Conducted at Worksite	Unknown	Unknown
Number of Child Labor Violations Found	229† (13)	206‡ (1,5)
Number of Child Labor Violations for Which Penalties Were Imposed	96† (13)	7 (1)
Number of Child Labor Penalties Imposed that Were Collected	Unknown	Unknown
Routine Inspections Conducted	Yes (13)	Yes (5)
Routine Inspections Targeted	No (13)	Yes (1,4,5)
Unannounced Inspections Permitted	No (13)	No (39,40)
Unannounced Inspections Conducted	No (13)	No (4)
Complaint Mechanism Exists	Yes (13)	Yes (4)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (13)	Yes (4)

† Data are from January 1, 2019 to September 30, 2019.

‡ Data are from January 1, 2020 to September 30, 2020.

During the reporting period, the government extended until 2022 a 2019 moratorium on inspection of business enterprises. (41-44) Although the government also amended the moratorium to permit labor inspections based on formal complaints, the Ministry of Economy must approve worksite visits associated with such inspections, and in practice, it announces these visits in advance. (13,39,40) Moreover, the State Inspectorate on Ecological

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW AND PRACTICE THAT DELAYED ADVANCEMENT

and Technical Safety (State Inspectorate) cannot initiate inspections based on anonymous complaints. (45) These restrictions on unannounced inspections severely limit the State Inspectorate's ability to detect violations of labor laws, including those related to child labor. (5) In addition to labor inspections, the State Inspectorate participates in raids led by the Ministry of Internal Affairs (MOIA) to identify and assist children engaged in child labor, including those subjected to its worst forms. (46)

In 2020, the MOIA reported conducting 790 raids between January and September, through which authorities identified 539 working children. (46) The State Inspectorate reported participating in 26 of these raids, through which inspectors identified 93 child labor violations. (5) Information was unavailable regarding the number of violations that MOIA referred to the State Inspectorate, or the penalties that the State Inspectorate imposed in response to child labor violations identified during these raids. Sources indicate that the State Inspectorate rarely imposes penalties for child labor violations. (4) In addition, the Prosecutor General's Office reported conducting 37 inspections to detect child labor, through which it identified 113 violations. Prosecutors initiated 43 legal actions in response to these violations, resulting in civil penalties against 7 individuals. (1) During the reporting period, 119 working children and 19 children subjected to the worst forms of child labor were referred to the Ministry of Labor and Social Development for social services. (4)

In 2020, the State Inspectorate employed 27 labor inspectors. (4,5) The number of labor inspectors is likely insufficient for the size of the Kyrgyz Republic's workforce, which includes more than 2.8 million workers. (47) According to the ILO's technical advice of a ratio approaching 1 inspector for every 20,000 workers in transitioning economies, the Kyrgyz Republic would employ about 140 labor inspectors. (48,49) The State Inspectorate has noted that the number of labor inspectors is likely insufficient to ensure the appropriate enforcement of the country's child labor laws. (5,7) Sources also report that the majority of enforcement activities to detect child labor are concentrated in markets in Bishkek and Osh, with few inspections or raids undertaken to detect child labor in agriculture. (4) The Prosecutor General's Office noted that enforcement agencies rarely undertake efforts to detect child labor in rural areas, in which children are vulnerable to child labor in crop cultivation, cattle herding, and other forms of agriculture. (1) The ILO has expressed concern that the State Inspectorate lacks sufficient funding to carry out inspections, although the government does not publicly release information on the level of funding for labor inspection activities, because it is deemed classified. (4,15) The State Inspectorate reported that funding levels decreased during the reporting period due to a decrease in the number of labor inspectors compared to 2019. (4)

The State Inspectorate reported that inspectors have not received formal training on child labor in recent years. (4,7) Inspectors did not receive training on child labor during the reporting period. (5)

Although the Code on Children formally provides for a child labor complaint mechanism, reports indicate that a lack of institutional capacity among labor inspectors and social workers may hinder adequate implementation of this mechanism. (13,25)

Criminal Law Enforcement

In 2020, criminal law enforcement agencies in the Kyrgyz Republic took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including prosecution planning.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Unknown	Yes (46)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (50)	Yes (36)
Refresher Courses Provided	Unknown	Yes (46)
Number of Investigations	Unknown	9 $\frac{1}{2}$ (1,4)
Number of Violations Found	29 $\frac{1}{2}$ (51)	9 $\frac{1}{2}$ (1,4)
Number of Prosecutions Initiated	3 (13,50)	2 (1)

Kyrgyz Republic

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW AND PRACTICE THAT DELAYED ADVANCEMENT

Table 7. Criminal Law Enforcement Efforts Related to Child Labor (Cont.)

Overview of Criminal Law Enforcement	2019	2020
Number of Convictions	0 (13)	0 (4)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown	N/A
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (13)	Yes (4)

† Data are from January 1 to September 30, 2019.

‡ Data are from January 1 to September 30, 2020.

Between January and September 2020, criminal enforcement agencies initiated a total of nine pretrial investigations into the worst forms of child labor, including three investigations into the involvement of children in prostitution (Criminal Code Article 166), five investigations into the use of children for the production of pornography (Criminal Code Article 168), and one investigation into forced child labor (Criminal Code Article 173). Of the three cases related to the involvement of children in prostitution, one was closed due to lack of evidence, one was referred for prosecution, and one is still under investigation. (1) Of the five cases related to the use of children in the production of pornography, three cases were closed due to lack of evidence, and two cases are still under investigation. The investigation into a case involving forced child labor was closed due to lack of evidence. (1) The Prosecutor General's Office also reported a case from 2019 in which a child in the Issyk-Kyl region was compelled to work as a shepherd to pay off a debt his parents had incurred. This case was referred for prosecution under Article 23 of the Constitution of the Kyrgyz Republic. (1)

During the reporting period, criminal investigators in Bishkek and Chuy Province received training from UNODC on investigation methods for cases involving human trafficking. (46) Investigators also received training from local NGOs on the NRM and how to refer suspected human trafficking cases to the NRM. (36)

Reports suggest that Kyrgyz police officers exploit human trafficking victims, including some younger than age 18. Concerns persist about police misconduct, including allegations that police threaten and extort sex trafficking victims, including minors, and reports indicate that police accept bribes from alleged traffickers to drop cases. (17)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including efficacy in accomplishing mandates.

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Children's Affairs Commission	Assesses the needs of children in difficult situations, including child laborers; creates individual development plans; and monitors service delivery. Members include social workers from regional Departments of Child Protection of the Ministry of Labor and Social Development and law enforcement authorities. (15) Operates according to the Regulations on the Procedure for the Identification of Children and Families in Difficult Situations. (52) Continued to operate in 2020. (4)
Coordination Council for Social Protection and Children's Rights	Develops policies and programs to enhance the provision of social services and guarantee children's rights. Chaired by the Deputy Prime Minister, and includes members from both government and civil society. (53) Research was unable to determine whether the Coordination Council was active during the reporting period.
Anti-Trafficking in Persons Task Force	Parliamentary group that coordinates and oversees work to combat trafficking in persons. (50) In 2020, convened to develop best practices for investigating human trafficking and reviewing and reinvestigating trafficking cases that had been improperly dismissed. (36)
Regional Trafficking in Persons Coordination Councils	Coordinate local implementation of the National Action Plan to Combat Trafficking in Persons in all seven provincial governments and the city of Osh. (54) Research was unable to determine whether the Regional Coordination Councils were active during the reporting period.

In 2020, the State Inspectorate issued a decree establishing a tripartite agreement between the Ministry of Education, Ministry of Labor and Social Development, and MOIA to enhance inter-agency coordination on the elimination of violence against children, including the worst forms of child labor. (4)

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW AND PRACTICE THAT DELAYED ADVANCEMENT

Reports indicate that the Children's Affairs Commission lacks adequate procedures to conduct needs assessments for traumatized children, such as those who have been subjected to commercial sexual exploitation or other worst forms of child labor, hindering its ability to effectively accomplish its mandate. (19,55) Observers have also noted that the inability of social services providers to participate in child labor investigations impedes the ability of the Children's Affairs Commission to fulfill its mandate. (4)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including implementation.

Table 9. Key Policies Related to Child Labor

Policy	Description
Program for the Support of Family and Protection of Children (2018–2028)	Includes action items on addressing child labor, including revising the hazardous work list for children, enhancing social services for vulnerable children and families, and creating an Action Plan on the Prevention and Elimination of Child Labor. (56) In 2020, the government approved an updated list of hazardous jobs prohibited for children under age 18. (4,27)
National Action Plan to Combat Trafficking in Persons (2017–2020)	Aimed to improve the legal framework on human trafficking; improve dissemination of information on human trafficking risks for migrants and vulnerable populations; raise awareness about protections for victims and criminal penalties for perpetrators; and improve coordination among government agencies, NGOs, and international partners. (57,58) In 2020, the government assessed progress on the National Action Plan (2017–2020) as having achieved 33 out of 38 policy goals. (36)

In 2020, the government convened an Inter-Departmental Working Group to develop a new Program to Combat Trafficking in Persons for 2021–2024. As part of the development of this program, the Working Group drafted a National Action Plan to Combat Trafficking in Persons (2021–2024) that is awaiting approval. (36)

Although the government drafted a new Action Plan on the Prevention and Eradication of Child Labor (2020–2024) in 2019 as a sub-component of the Program for the Support of Family and Protection of Children (2018–2028), this draft Action Plan was not implemented during the reporting period. Sources report that political instability in the Kyrgyz Republic in 2020 may have contributed to the delay in authorization and implementation of this plan. (4)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the adequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description
Cash Transfer Program†	Government-funded cash transfer program for families living in difficult situations, including families with children engaged in child labor. (4) In 2020, cash assistance from the Ministry of Labor and Social Development continued to be available to such families. (4,37) However, based on available information, the amount of assistance appears to be low, and some families face barriers to accessing these benefits. (59,60)
Ministry of Education and Science (MOES) National School Attendance Database‡	Unified online database maintained by MOES to monitor school enrollment and attendance. Based on these data, government ministries and local government officials can identify and assist children who may be vulnerable to child labor. (4,6) In 2020, MOES used the database to generate a list of micro-areas with low rates of school attendance. MOES subsequently worked with MOIA to identify 691 children who were not attending school and were engaged in child labor. (6)
Shelters for Trafficking Victims†	Includes two 24-hour shelters funded by the government and operated by NGOs that serve victims of violence of all ages, including child trafficking victims. One center is located in Bishkek and the other is in Osh. (36) MOIA also operates two daytime children's shelters, also located in Bishkek and Osh. These shelters continued to provide services in 2020, but they were closed for a portion of the reporting period due to the COVID-19 pandemic. (36)

† Program is funded by the Government of the Kyrgyz Republic.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (61)

Kyrgyz Republic

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW AND PRACTICE THAT DELAYED ADVANCEMENT

In 2020, the State Inspectorate conducted awareness-raising events about child labor for families and for employers, including farmers and members of agriculture cooperatives. (5,7)

Although the Kyrgyz Republic has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, particularly in commercial sexual exploitation and in agriculture, including cultivating cotton.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in the Kyrgyz Republic (Table II).

Table II. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law's minimum age provisions apply to all children, including those working without an employment contract.	2014 – 2020
	Criminally prohibit and penalize the use of a child for prostitution, and ensure that laws prohibiting offering of children for prostitution cover all children under age 18.	2019 – 2020
	Ensure that the law's light work provisions specify the activities in which children may undertake light work.	2020
Enforcement	Lift the moratorium on labor inspections and ensure that the labor inspectorate conducts routine, targeted, and unannounced labor inspections, and assesses penalties as appropriate.	2018 – 2020
	Publish complete information about the State Inspectorate on Ecological and Technical Safety's efforts to enforce prohibitions on child labor, including information on the Inspectorate's funding, the number of labor inspections conducted, and the number of penalties assessed and collected.	2011 – 2020
	Strengthen the labor inspection system by providing child labor training for new labor inspectors, and provide to all labor inspectors refresher courses on child labor that include information about changes to child labor laws.	2014 – 2020
	Ensure that child labor violations identified by criminal enforcement agencies are appropriately referred to the State Inspectorate on Ecological and Technical Safety, and that penalties are assessed as appropriate.	2020
	Significantly increase the number of labor inspectors to meet the ILO's technical advice and ensure that inspectors have adequate resources to conduct inspections.	2012 – 2020
	Conduct targeted inspections in all sectors in which children are highly vulnerable to child labor, including agriculture.	2020
	Ensure that the State Inspectorate on Ecological and Technical Safety and relevant social services providers have the capacity to adequately implement the child labor complaint mechanism.	2019 – 2020
	Ensure that criminal law enforcement agencies investigate and prosecute violations related to the worst forms of child labor, including cases of possible police complicity in abusing victims.	2015 – 2020
Coordination	Ensure that the procedures for needs assessment of the Children's Affairs Commission are appropriate for traumatized children, including children who were engaged in the worst forms of child labor.	2019 – 2020
	Strengthen the Children's Affairs Commission by empowering relevant social services providers to assist, as appropriate, with investigations related to child labor.	2020
	Ensure that all coordinating bodies are able to carry out their intended mandates.	2020
Government Policies	Implement a comprehensive policy to address all relevant forms of child labor.	2020
Social Programs	Ensure that all children have access to free education, including children with disabilities, those living and working on the street, those lacking residence registration, and those without birth certificates and guardianship documents.	2009 – 2020
	Ensure that social programs, such as the Cash Transfer Program, provide sufficient benefits to reduce vulnerability to child labor and are accessible to families.	2019 – 2020
	Expand existing programs to address the scope of the child labor problem, particularly in commercial sexual exploitation and in agriculture, including cultivating cotton.	2014 – 2020

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW AND PRACTICE THAT DELAYED ADVANCEMENT

REFERENCES

- 1 Government of the Kyrgyz Republic. Information from the Prosecutor General's Office of the Kyrgyz Republic for the U.S. government's report on the elimination of the worst forms of child labor. January 14, 2021. Source on file.
- 2 U.S. Department of State. Trafficking in Persons Report- 2020: Kyrgyz Republic. Washington, DC, June 2020. <https://www.state.gov/reports/2020-trafficking-in-persons-report/kyrgyz-republic/>
- 3 ILO. Working Children in Kyrgyz Republic: Child Labour Survey 2014–2015. October 25, 2016. Source on file.
- 4 U.S. Embassy- Bishkek. Reporting, January 21, 2021.
- 5 Government of the Kyrgyz Republic. Information from the State Inspectorate on Ecological and Technical Safety under the Government of the Kyrgyz Republic for the U.S. government's report on the elimination of the worst forms of child labor. January 14, 2021. Source on file.
- 6 Government of the Kyrgyz Republic. Information from the Ministry of Education and Science of the Kyrgyz Republic for the U.S. government's report on the elimination of the worst forms of child labor. January 14, 2021. Source on file.
- 7 Government of the Kyrgyz Republic. Contentions regarding the U.S. Department of Labor's 2019 Findings on the Worst Forms of Child Labor Report for the Kyrgyz Republic. October 2020. Source on file.
- 8 UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 3, 2021. For more information, please see "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- 9 ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Multiple Indicator Cluster Survey 6 (MICS 6), 2018. Analysis received March 2021. Please see the "Children's Work and Education Statistics: Sources and Definitions" in the Reference Materials section of this report.
- 10 Butler, Carolyn. Child Labor Problem Urgent: Kyrgyz Workers. October 3, 2018. <https://www.solidaritycenter.org/child-labor-problem-urgent-kyrgyzstan-workers/>
- 11 Kabar. Use of child labor declined in Kyrgyzstan - Federation of Trade Unions. July 2, 2018. <http://kabar.kg/eng/news/use-of-child-labor-declined-in-kyrgyzstan-federation-of-trade-unions/>
- 12 Ombudsman of the Kyrgyz Republic. Special Report: Observance of labor rights of women and children in the Kyrgyz Republic: Monitoring results. 2017. <https://ombudsman.kg/files/docs/reports/2016/observance-of-the-labor-law.pdf>
- 13 U.S. Embassy- Bishkek. Reporting, January 15, 2020.
- 14 Kudryavtseva, Tatyana. Children in Kyrgyzstan engaged in picking of cotton from age of 4. 24.kg, March 7, 2019. https://24.kg/english/111217_Children_in_Kyrgyzstan_engaged_in_picking_of_cotton_from_age_of_4/
- 15 U.S. Embassy- Bishkek. Reporting, January 11, 2019.
- 16 Kaktus Media. In Kyrgyzstan, the highest rate of child labor. November 6, 2017. https://kaktus.media/doc/365831_v_kyrgyzstane_samy_vysokiy_pokazatel_ispolzovaniia_detskogo_tryda.html
- 17 U.S. Department of State. Trafficking in Persons Report- 2019: Kyrgyz Republic. Washington, DC, June 2019. <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/kyrgyz-republic/>
- 18 International Federation for Human Rights (FIDH). Invisible and exploited in Kazakhstan: the plight of Kyrgyz migrant workers and members of their families. June 2018. https://www.fidh.org/IMG/pdf/kyrgyz_migrant_workers_in_kazakhstan.pdf
- 19 Aigerim Aryzmatova. Kyrgyzstan: How to solve the problem of violence against children of labor migrants? Central Asian Bureau for Analytical Reporting (CABAR), November 19, 2019. <https://cabar.asia/ru/kyrgyzstan-kak-reshit-voprosy-nasiliya-v-otnoshenii-detey-trudovyyh-migrantov/>
- 20 UNICEF. Children of migrants—Invisible Children. 2018. <https://www.unicef.org/kyrgyzstan/children-migrants>
- 21 Munara Borombaeva and Marina Kolesnikova. Kyrgyzstan: Number of children not attending school because of parents' beliefs decreasing. Cabar Asia, April 20, 2020. <https://cabar.asia/ru/kyrgyzstan-kolichestvo-detey-ne-poseshhayushhih-shkolu-iz-za-ubezhdenij-roditelej-snizhaetsya>
- 22 Human Rights Watch. Insisting on inclusion: Institutionalization and barriers to education for children with disabilities in Kyrgyzstan. December 10, 2020. <https://www.hrw.org/report/2020/12/10/insisting-inclusion/institutionalization-and-barriers-education-children>
- 23 ILO NORMLEX Information System on International Labour Standards. Ratifications for Kyrgyzstan. Accessed February 24, 2021. https://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:PI1200_COUNTRY_ID:103529
- 24 Government of the Kyrgyz Republic. Labor Code of the Kyrgyz Republic, No. 106, as amended. Enacted: August 4, 2004. http://www.mkk.gov.kg/index.php?option=com_content&view=article&catid=116:-1-5-&id=1084:-i-v&lang=ru
- 25 Government of the Kyrgyz Republic. The Kyrgyz Republic's Code on Children, No. 100. Enacted: July 10, 2012. Source on file.
- 26 Government of the Kyrgyz Republic. Code of Administrative Liability. Enacted: 1998. <http://minjust.gov.kg/ru/content/315>
- 27 Government of the Kyrgyz Republic. Decree of the Government of the Kyrgyz Republic No. 565 on approval of the list of works prohibited for persons under age 18. Enacted: November 13, 2020. https://online.zakon.kz/document?doc_id=38225858#pos=3;-70
- 28 Government of the Kyrgyz Republic. Criminal Code of the Kyrgyz Republic, No. 68, as amended. Enacted: October 1, 1997. <http://cbd.minjust.gov.kg/act/view/ru-ru/111527?cl=ru-ru>
- 29 Government of the Kyrgyz Republic. Law No. 55 on Preventing and Combating Trafficking of Human Beings. Enacted: March 17, 2005. <http://www.legislationline.org/ru/documents/action/popup/id/14215>
- 30 Government of the Kyrgyz Republic. Law No. 43 on the Universal Conscription of Citizens of the Kyrgyz Republic, Military and Alternative Service. Enacted: February 9, 2009. <http://cbd.minjust.gov.kg/act/view/ru-ru/202536?cl=ru-ru>
- 31 Government of the Kyrgyz Republic. Law of the Kyrgyz Republic on Education, No. 92, as amended. Enacted: April 30, 2003. <http://cbd.minjust.gov.kg/act/view/ru-ru/1216?cl=ru-ru>
- 32 ILO CEACR. Individual Observation concerning Minimum Age Convention, 1973 (No. 138) Kyrgyzstan (ratification: 1992). Published: 2021. https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:PI13100_COMMENT_ID:4050159
- 33 ILO CEACR. Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Kyrgyzstan (ratification: 2004). Published: 2021. https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:PI13100_COMMENT_ID:4050166
- 34 U.S. Embassy- Bishkek. Reporting, October 18, 2019.

- 35 Government of the Kyrgyz Republic. Decree No. 493, On the national mechanism for referral of victims of human trafficking in the Kyrgyz Republic. Enacted: September 19, 2019.
<http://cbd.minjust.gov.kg/act/view/ru-ru/157184?cl=ru-ru>
- 36 U.S. Embassy- Bishkek. Reporting, February 12, 2021.
- 37 Government of the Kyrgyz Republic. Information from the Ministry of Labor and Social Development of the Kyrgyz Republic for the U.S. government's report on the elimination of the worst forms of child labor. January 14, 2021. Source on file.
- 38 U.S. Embassy- Bishkek official. E-mail communication to USDOL official. May 11, 2021.
- 39 Government of the Kyrgyz Republic. Decree No. 94, On the introduction of amendments to Decree No. 586 of the Government of the Kyrgyz Republic "On introduction of a temporary ban (moratorium) on conducting inspections of business entities" from December 17, 2018. Enacted: February 19, 2020.
<http://cbd.minjust.gov.kg/act/view/ru-ru/157498?cl=ru-ru>
- 40 ILO CEACR. Individual Observation concerning Labour Inspection Convention, 1947 (No. 81) Kyrgyzstan (ratification: 2000). Published: 2021.
https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100::P13100_COMMENT_ID:4054066
- 41 Peoples Dispatch. Trade unions demand restoration of labor rights in Kyrgyzstan. March 9, 2019.
<https://peoplesdispatch.org/2019/03/09/trade-unions-demand-restoration-of-labor-rights-in-kyrgyzstan/>
- 42 IndustriALL Global Union. Workers in Kyrgyzstan left without legal protection. March 7, 2019.
<http://www.industrialall-union.org/workers-in-kyrgyzstan-left-without-legal-protection>
- 43 Government of the Kyrgyz Republic. Decree No. 586, On introduction of a temporary ban (moratorium) on conducting inspections of business entities. Enacted: December 17, 2019.
<http://cbd.minjust.gov.kg/act/view/ru-ru/12797?cl=ru-ru>
- 44 Government of the Kyrgyz Republic. Term of the moratorium on inspections by government oversight bodies extended until January 1, 2022. News release, December 4, 2020.
<https://www.gov.kg/ru/post/s/mamleketтик-kzml-organdary-tarabynan-teksherg-moratoriydin-mnt-2022-zhyldyn-1-yanvaryna-cheyin-uzartyldy>
- 45 Government of the Kyrgyz Republic. Law on the procedure for conducting inspections of business entities, No. 72. Enacted: May 25, 2007.
<http://cbd.minjust.gov.kg/act/view/ru-ru/202105?cl=ru-ru>
- 46 Government of the Kyrgyz Republic. Information from the Ministry of Internal Affairs of the Kyrgyz Republic for the U.S. government's report on the elimination of the worst forms of child labor. January 14, 2021. Source on file.
- 47 CIA. The World Factbook. Accessed January 19, 2018. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.
<https://www.cia.gov/the-world-factbook/countries/kyrgyzstan/>
- 48 ILO Committee on Employment and Social Policy. Strategies and practice for labour inspection. November 2006. GB.297/ESP/3. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.
<http://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>
- 49 UN. World Economic Situation and Prospects 2017 Statistical Annex. 2017. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report.
https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/2017wesp_full_en.pdf
- 50 U.S. Embassy- Bishkek. Reporting, February 21, 2020.
- 51 U.S. Embassy- Bishkek official. E-mail communication to USDOL official. July 1, 2020.
- 52 Government of the Kyrgyz Republic. Resolution No. 391 on the Procedure for the Identification of Children and Families in Difficult Living Situations. Enacted: June 22, 2015.
<http://cbd.minjust.gov.kg/act/view/ru-ru/97689>
- 53 Government of the Kyrgyz Republic. Resolution No. 830 on the Coordination Council for the Social Protection of the Population and Children's Rights. Enacted: December 4, 2015.
<http://cbd.minjust.gov.kg/act/preview/ru-ru/98225/10?mode=tekst>
- 54 UNODC. UNODC Supports Institutional Development of Trafficking in Persons Coordination Councils in Kyrgyzstan. October 16, 2019.
<https://www.unodc.org/centralasia/en/news/unodc-supports-institutional-development-of-trafficking-in-persons-coordination-councils-in-kyrgyzstan.html>
- 55 Kaktus Media. Something amiss at the Commission on Children's Affairs? December 14, 2019.
https://kaktus.media/doc/402662_komissii_po_delam_detey_v_kyrgyzstane:_chto_s_nimi_ne_tak.html
- 56 Government of the Kyrgyz Republic, Ministry of Justice. Decree 479 of the Government of the Kyrgyz Republic on the Program to Support of Family and Protection of Children for 2018–2028. August 14, 2017.
<http://cbd.minjust.gov.kg/act/view/ru-ru/100203?cl=ru-ru>
- 57 U.S. Embassy- Bishkek. Reporting. January 18, 2018.
- 58 Government of the Kyrgyz Republic. Decree No. 743 on the program of the Government of the Kyrgyz Republic for the fight against trafficking in persons in the Kyrgyz Republic during 2017-2020. Enacted: November 15, 2017.
<http://cbd.minjust.gov.kg/act/preview/ru-ru/11515/10?mode=tekst>
- 59 Torogeldi-uulu, Bakyt. In Kyrgyzstan, If You Want Benefits You Might Have to Pay. February 24, 2019.
<https://www.rferl.org/a/kyrgyzstan-benefits-bribes-children-social-welfare-kochkorov-minister/29787801.html>
- 60 Asel Sooronbayeva. Who in Kyrgyzstan can receive state allowances? Central Asian Bureau for Analytical Reporting (Cabar), April 1, 2019.
<https://cabar.asia/ru/kto-v-kyrgyzstane-mozhet-poluchit-gosudarstvennye-posobiya/>
- 61 Government of the Kyrgyz Republic. Resolution on conditions for payment of personal assistants of children with limited abilities needing permanent care and supervision. Enacted: November 23, 2018.
<http://cbd.minjust.gov.kg/act/view/ru-ru/12819?cl=ru-ru>