

# Kyrgyz Republic

*In 2011, the Kyrgyz Republic made a moderate advancement in efforts to eliminate the worst forms of child labor. During the reporting period, Parliament strengthened the Criminal Code by increasing penalties for adults found guilty of crimes against children, including enslavement, pornography and prostitution. In addition, the Government adopted the 2012-2014 Social Protection Development Strategy and Action Plan, which serve to protect children and families in difficult conditions, including child laborers. The Government also piloted a child labor monitoring system (CLMS) and collaborated with trade unions to establish child labor free zones. However, there are reports that some schools cancel classes in the fall to send children to pick cotton and other schools require children to harvest tobacco on school grounds. Children continue to work in the worst forms of child labor, particularly in dangerous agricultural work in the cotton and tobacco sectors.*

## Statistics on Working Children and Education

Children	Age	Percent
Working	5-14 yrs.	4.5
Attending School	5-14 yrs.	84.0
Combining Work and School	7-14 yrs.	4.8
Primary Completion Rate		96.6

### Sources:

**Primary completion rate:** Data from 2010, published by UNESCO Institute for Statistics, 2012.(1)

**All other data:** Understanding Children's Work Project's analysis of statistics from UNICEF MICS3, 2006.(2)

## Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in the Kyrgyz Republic are engaged in the worst forms of child labor, many in dangerous conditions in agriculture. Children work in cotton, tobacco, and rice cultivation.(3, 4) Children's work in agriculture commonly involves unsafe activities, such as using potentially dangerous machinery and tools, carrying heavy loads and applying harmful pesticides.(5)

Children reportedly work in other sectors, including coal mining, cattle raising, brick making and construction.(3, 6, 7) Children working in these sectors are often exposed to carrying heavy loads and breathing toxic fumes. Although evidence is limited, some children are exposed to high levels



of radiation while digging silicon from landfills to sell for use in electronics.(8) Children reportedly are also used in "shuttle commerce" which is the transport, loading and unloading of goods in markets. Children in this sector push heavy carts and carry bundles that exceed their physical capacity.(9) Street children reportedly engage in informal work and begging. These children may be subject to forced prostitution and are vulnerable to severe weather, traffic accidents and crime.(10, 11)

Children are also reportedly trafficked internally for forced labor, commercial sexual exploitation and the sale and distribution of illegal drugs.(12)

Migrant, refugee and non-citizen children may have limited access to education. Parents who send their children to government-funded schools are sometimes forced to pay administrative fees and residency registrations, which may deter attendance.(12) In addition, NGOs report that some schools cancel classes in the fall to send children to pick cotton and other schools require children to harvest tobacco on school grounds.(3, 4, 6)

## Laws and Regulations on the Worst Forms of Child Labor

The law forbids the worst forms of child labor, identifies the minimum age for employment, and specifies the types of work prohibited to children.(12) The minimum age for employment is 16, although children may work at age 14 with the permission of a parent or guardian. The minimum age for hazardous work is 18.(12)

Section 294 of the Labor Code prohibits harmful and dangerous work, underground work and work which might harm the health and moral development of children.(13) Decree No. 239 (2005) lays out a detailed list of hazardous work prohibited for children under the age of 18. Decree No. 548 enumerates specific weight limits permissible for children of legal working age in occupations that require them to carry loads.(13) The law also prohibits forced labor.(12, 14)

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	16
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	16
	Free Public Education	Yes

The Criminal Code prohibits adults from involving minors in criminal activity, forced prostitution, slavery and armed conflicts.(13) During the reporting period, Parliament strengthened the Criminal Code by increasing penalties for adults found guilty of enslaving children and soliciting children for pornography or prostitution. It is unclear whether the Criminal Code prohibits and penalizes adults from using children for drug trafficking or other illicit activities.(15) The 2005 Prevention and Combating Trafficking in Persons law criminalizes trafficking for the purposes of sexual exploitation and forced labor.(16) In 2011, the Kyrgyz Republic government amended this law to further provide protection and assistance to trafficking victims, including child trafficking victims. In particular, the law requires that child protection services are immediately informed when the victim is a minor.(17) The minimum age for military recruitment is 18.(18)

Education is free and compulsory for 9 years, roughly equivalent to age 16, depending on the age at which children start school.(19) The law states that children cannot be removed from school to work during agricultural harvest periods. However, school principals may request permission from the Ministry of Education to allow children to leave school to work on their family farms for a specific period, provided the school agrees to organize makeup classes. The Ministry of Education stated that no such requests were received during the reporting period.(20)

## Institutional Mechanisms for Coordination and Enforcement

The Government has a Coordination Council on Child Labor that consists of representatives from government agencies, trade unions and employers' organizations as well as NGOs and international organizations. The Council focuses on developing policies to eliminate child labor, coordinating efforts of key stakeholders and providing recommendations to harmonize national legislation on child labor with international standards.(19) The Ministry of Foreign Affairs coordinates efforts against trafficking in persons.(4)

The Ministry of Internal Affairs' Inspectorate for Minors' Affairs and the Ministry of Education enforce child labor laws.(20) The Inspectorate has 23 inspectors charged with investigating all labor issues, including those dealing with child labor violations.(4, 21) The number of inspections conducted during the reporting period is unavailable, but the Inspectorate identified 830 child laborers from January to December 2011.(4, 15) Information was not available on follow-up services provided to children identified or in regards to penalties assessed as a result of these violations.

The Prosecutor General's Office enforces laws against child trafficking.(20) The number of inspectors in the Prosecutor General's Office is not available. The Prosecutor General's Office conducted 81 child trafficking investigations and issued warnings related to 63 incidents.(15) The Government prosecuted nine child trafficking cases during the reporting period.(4) No further information was available on the cases above and the follow-up services provided to children identified in this process.

## Government Policies on the Worst Forms of Child Labor

In June 2011, the Government adopted the Kyrgyz National Roadmap on the Elimination of the Worst Forms of Child Labor by 2016.(22) In December, the Government adopted its Social Protection Development Strategy 2012-2014 (SPDS) and its supplement, the National Action Plan (NAP) of 2012-2014, which mainstream and subsume all child labor issues, including those on the National Roadmap. Child labor issues specifically fall under Task 2 of the NAP under the category "Children and Families in Difficult Conditions." (4, 23)

The National Action Plan Against Human Trafficking (2008-2011) aimed to combat human trafficking through the prevention, detection and suppression of human trafficking

and through the provision of social protection and assistance to victims of human trafficking.(24, 25) As of the date of this report, the Ministry of Foreign Affairs was reviewing the draft of a new National Action Plan Against Human Trafficking (2012-2015).(26)

## **Social Programs to Eliminate or Prevent the Worst forms of Child Labor**

In 2011, the Government concluded the State Program of Action of Social Partners for the Elimination of the Worst Forms of Child Labor (2008-2011). This program had seven components: coordinating efforts, improving the legal framework, increasing labor inspection effectiveness, eliminating child exploitation, providing at-risk migrant children with government documentation, establishing recreational facilities for children and sharing knowledge on the worst forms of child labor.(27) A midterm evaluation of the State Program revealed that although the project piloted child labor-free zones in the Nookat district of Osh region and the Alabuka district of Jalalabad region in Southern Kyrgyz Republic, and supported migrant families to obtain identification documents, it lacked properly formulated goals and objectives as well as indicators to mark successful implementation.(28) A final evaluation of the State Program has been conducted but the results were not publicly available as of the writing of this report.(20)

During the reporting period, the Government was developing a Roadmap for the implementation of the SPDS to include activities to combat child labor, such as a plan for conducting needs assessments of targeted children, developing individual intervention plans and referring children and their households to existing social services for which they are eligible.(23)

In September 2011, the Ministry of Social Protection, with technical support from the ILO, began piloting a CLMS in three regions in Bishkek. The CLMS is intended to identify working and at-risk children, assess hazards and risks to which they are exposed, refer them to relevant services, verify that they have been removed from hazardous work, and track them to ensure that the root causes creating the need for them to work have been eliminated.(15, 29)

During the reporting period, the Government collaborated with trade unions to establish child labor free zones in Moskovskiy and Ysykatinskiy districts in northern Kyrgyz Republic. The program will provide non-formal education to working children and pilot a CLMS in these districts.(30) Also

during the reporting period, with support and collaboration from relevant government ministries, the Government continued to participate in the third phase of the 2010-2013 regional project, “Combating Child Labor in Central Asia”, funded by the German Government.(22) This project supports a workers’ federation and an employers’ confederation to create and institutionalize Child Labor Units, which act as national focal points for each organization to coordinate and monitor their members’ activities to eliminate child labor in Kyrgyzstan.(22, 29) From 2009 to 2011, the project also supported the National Confederation of Employers to encourage local authorities and employers to create regional agreements among eight districts and six cities, and to create agreements between local governments and employers advocating for labor protections, including against child labor.(31)

The Government also continued to participate in a mini-program that produced four short documentaries highlighting children working in the Kyrgyz Republic. These videos were shown on TV and in schools.(9) In addition, USAID in collaboration with the Government, implemented a catch-up education program for children at risk of or engaged in the worst forms of child labor.(15, 29)

As part of the 2010-2011 One UN Program in Kyrgyzstan, the Ministry of Education and Science is collaborating with ILO-IPEC on a January-December 2012 project to develop an education curriculum for a “catch-up” program for children who either had been out of school for an extended period or had dropped out before reaching the secondary school level. The project will also train teachers to use the curriculum, mainstream the issue of child labor into education sector plans regionally and raise the awareness of the public on the issue.(29)

The Government continued to provide in-kind assistance to NGO-operated shelters for trafficking victims, including one specifically for children.(24)

## Based on the reporting above, the following actions would advance the elimination of the worst forms of child labor in Kyrgyz Republic:

Area	Suggested Actions	Year(s) Action Recommended
Laws and Regulations	Clarify whether the law protects children against being used by adults in drug trafficking or other illicit activities.	2011
Coordination and Enforcement	Ensure that classes are not cancelled and that school children are not required to work in cotton or tobacco harvesting.	2009, 2010, 2011
	Enforce free education laws and regulations by ensuring school administrators and teachers do not charge school fees.	2011
	Publish information on the number of inspections conducted and penalties assessed for child labor violations.	2009, 2010, 2011
	Make information on the services provided to victims of child labor and trafficking publicly available.	2011
	Make available information on the number of trafficking investigators in the Prosecutor General's Office.	2011

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