

In 2012, the Kyrgyz Republic made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government adopted a new version of the Code on Children, which will create local-level Family and Child Support Units that could improve the early detection and support of vulnerable children. The Government also participated in the piloting of a Child Labor Monitoring System (CLMS) in three regions and the establishment of a Child Labor Free Zone in the Chuy region. In addition, the Government established a child labor information center, a child labor rehabilitation center, and participated in the development of an education curriculum for a “catch-up” program for children who were out of school for an extended period or dropped out before reaching the secondary school level. However, interagency coordination on child labor was poor and no data were available on the number of child labor or child trafficking investigations or prosecutions during the reporting period. Children continue to work in the worst forms of child labor, particularly in dangerous agricultural work in cotton and tobacco cultivation.

#### Statistics on Working Children and Education

Children	Age	Percent
Working	5-14 yrs.	4.5 (48,305)
Attending School	5-14 yrs.	84.0
Combining Work and School	7-14 yrs.	4.8
Primary Completion Rate		95.8

#### Sources:

**Primary completion rate:** Data from 2011, published by UNESCO Institute for Statistics, 2013.(2)

**All other data:** Understanding Children's Work Project's analysis of statistics from UNICEF MICS, 2006.(1)

#### 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 under dangerous conditions in agriculture. Children work in cotton and tobacco cultivation. Although the extent of the problem is unknown, there are reports that children are also found working in rice cultivation.(3-6) NGOs report that some schools cancelled classes in the fall to allow children to stay home to pick cotton. Evidence suggests that a limited number of other schools required children to harvest tobacco on school grounds.(3, 4, 7, 8) Children working in agriculture may



use dangerous tools, carry heavy loads, and apply harmful pesticides.(9, 10)

Although information is limited, there are reports that children are also found working in other sectors, including coal mining, brick making, and construction. Children working in these sectors often carry heavy loads, and children in coal mines work in confined spaces underground.(3, 7, 8, 11) Children are also reportedly 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.(12) Street children reportedly engage in forced begging. These children may also be subjected to commercial sexual exploitation.(13)

Children are trafficked internally for forced labor, commercial sexual exploitation, and the sale and distribution of illegal drugs.(6, 14) Children are also trafficked to Russia for forced labor.(15) Children involved in commercial sexual exploitation in the Kyrgyz Republic are often stigmatized and may be tried and placed in detention.(16)

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

The Labor Code sets the minimum age for employment at 16, although children may work at age 14 with the permission of a parent or guardian. The minimum age for hazardous work is 18.(14)

The Labor Code prohibits harmful and dangerous work, underground work, forced work and work which might harm the health and moral development of children under the age of 18.(17, 18) Pursuant to the Labor Code, Decree No. 239 lays out a detailed list of hazardous work prohibited for children under the age of 18, including the use of pesticides and manufacture of tobacco. Decree No. 548 enumerates specific weight limits permissible for children of legal working age in occupations that require them to carry loads.(6, 17) In June of the reporting period, the Government organized a roundtable for stakeholders to review the hazardous list. A revised draft has been submitted to the Ministry of Social Development and is currently under consideration. (19)

# Kyrgyz Republic

## International Conventions and Selected Laws on Child Labor and Education

	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

In May 2012, the President signed an amendment to the Family Code, which provides grounds for the termination of parents’ or legal guardians’ rights if they are found involving their children in the worst forms of child labor.(20, 21) In July, the President also signed into law a new version of the Code on Children, which lays out protections for children in difficult situations and specifically includes children working in the worst forms of child labor.(20, 22)

The Criminal Code prohibits adults from involving minors in criminal activity, forced prostitution, slavery, and armed conflicts.(6, 17) It is unclear whether the Criminal Code prohibits adults from using children for drug trafficking or other illicit activities.(23) The 2005 Prevention and Combating Trafficking in Persons law criminalizes trafficking for the purposes of sexual exploitation and forced labor.(24) It also provides protection and assistance to trafficking victims, including child trafficking victims. In particular, the law requires that child protection service agencies are immediately informed when the victim is a minor.(25)

The minimum age for military recruitment is 18.(26)

Education is free and compulsory for nine years, roughly equivalent to age 16, depending on the age at which a child starts school.(27, 28) However, during the reporting period, children had to pay burdensome school administrative fees because of Government resource constraints.(29, 30) There is

limited evidence that children with disabilities are denied entry to schools.(29) Refugees, migrants, and noncitizens also have limited access to education because of the country’s system of residence registration.(29)

The law states that children cannot be removed from school to work during agricultural harvest periods. However, an exception to the law allows school principals to 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.(31, 32) The Ministry of Education stated that no such requests were received during the reporting period.(31, 32)

## Institutional Mechanisms for Coordination and Enforcement

During the reporting period, the role of the Coordination Council on Child Labor was reassigned to the newly established Coordination Council on the Implementation of the Social Protection Development Strategy (SPDS) for 2012-2014. The Council was responsible for developing policies to eliminate child labor, coordinating the efforts of key stakeholders, and providing recommendations to harmonize national legislation on child labor with international standards.(20) Also during the reporting period, the Government participated in the ILO-IPEC-implemented mapping of legislation and policies, such as action plans and state/national programs on child labor and youth employment. Once approved, the report will provide a foundation for future coordination and collaboration between the government and its partners on these issues.(20) The Ministry of Foreign Affairs coordinates efforts against trafficking in persons.(4)

The Ministry of Internal Affairs’ Inspectorate for Minors’ Affairs, the State Inspectorate on Ecological and Technical Safety, the Prosecutor General’s Office and regional State District Administration each have responsibility to enforce child labor laws. However, these agencies do not adequately coordinate their efforts.(31, 33). The State Inspectorate has 23 inspectors charged with investigating all labor issues, including those dealing with child labor violations. This number of inspectors is inadequate to ensure appropriate enforcement of laws against child labor, and the Inspectorate reports that there were no inspections specifically targeted at sectors with child labor due to the limited number of inspectors.(4) In addition, there was no training for inspectors on child labor in 2012. The exact number of inspections conducted during the reporting period and the number of child laborers identified through inspections is unavailable.(4, 33) It is unclear whether follow-up services were provided to children identified through this process.

The Prosecutor General's Office enforces laws against child trafficking. The number of inspectors in the Prosecutor General's Office during the reporting period is not available, nor is any information on the number of child labor or child trafficking cases investigated or prosecuted in 2012.(32, 33) In addition, no information was available on the number of children identified through this process or on whether follow-up services were provided to the children identified.

### **Government Policies on the Worst Forms of Child Labor**

The SPDS for 2012-2014 and its supplement, the National Action Plan (NAP) of 2012-2014, encompass all child labor issues in the Kyrgyz Republic. Child laborers fall under a specific category, called "Children and Families in Difficult Conditions."(4, 16, 34, 35) In April 2012, the Ministry of Social Development adopted a Roadmap for the implementation of SPDS and NAP.(35) The drafting of a National Action Plan on the Prevention and Elimination of the Worst Forms of Child Labor for 2013-2016 was postponed until 2013; delays occurred because of the unclear status of the Coordination Council and staff changes at the Ministry of Social Development.(20)

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.(36, 37) During the reporting period, the draft National Action Plan against Human Trafficking for 2012-2015 became the Government Program Against Human Trafficking for 2013-2016.(20, 38) The final draft was agreed upon by the line ministries and was submitted to the Government for consideration in November 2012.(20)

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

During the reporting period, the Ministry of Social Development established a child labor information center in the Chuy region and a child labor rehabilitation center in Dordoi.(35) The Ministry of Internal Affairs also continued to maintain a rehabilitation center for street children in Bishkek. However, the center remained in poor condition, and lacked a sufficient amount of food, clothes, and medicine.(29)

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.(39) Under one component of this project, the Ministry of Social Development, with technical support from the ILO, piloted

a Child Labor Monitoring System (CLMS) in Bishkek, Issyk-Kul, and Chuy. 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.(20, 23) During the pilot period, 152 children were withdrawn or prevented from hazardous child labor in the agriculture and informal labor sectors.(20)

In a second component of the project, the Government, with technical support from the ILO, participated in the establishment of a Child Labor Free Zone in the Chuy region. During 2012, this project withdrew and prevented 140 children from the worst forms of child labor in the agriculture and informal labor sectors through the provision of comprehensive educational services.(20)

Under a third component, the project supported 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 Kyrgyz Republic.(35, 40) In addition, the project conducts awareness raising activities and provides direct services to child laborers and their families. The project assisted with the review of the list of hazardous work prohibited to children under the age of 18.(39)

The Government continued to participate in the One UN Program in Kyrgyz Republic, in collaboration with ILO-IPEC and USAID. During the reporting period, the project developed an education curriculum for a "catch-up" program for children who had been out of school for an extended period or had dropped out before reaching the secondary school level.(20) The project also trained teachers to use the curriculum, mainstreamed the issue of child labor into education sector plans regionally, and raised the awareness of the public on the issue.(20, 40) This program was implemented in migrant settlements around Bishkek to assist 2,500 children to return to school.(41) The program was extended to the end of 2013.(20)

The third phase of a project funded by the Elimination of Child Labor in Tobacco Growing Foundation ended in December 2012. The project provided conditional loans to tobacco farmers, organized support groups and holiday camps for children, and developed district advisory committees to address the causes of children entering hazardous labor on tobacco farms.(19) A fourth phase was approved during the reporting period and will be implemented between 2013-2015.(19)

# Kyrgyz Republic

**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, 2012
	Enforce laws on free education and ensure school administrators and teachers do not charge school fees.	2009, 2010, 2011, 2012
Coordination and Enforcement	Ensure increased coordination among government agencies on child labor.	2012
	Ensure an adequate number of labor inspectors, and that these inspectors receive training on child labor.	2012
	Make information on the number of labor inspections conducted and penalties assessed for child labor violations publicly available.	2009, 2010, 2011, 2012
	Make information on the services provided to victims of child labor and trafficking publicly available.	2011, 2012
	Make information on the number of inspectors in the Prosecutor General's Office and the number of child trafficking cases investigated or prosecuted publicly available.	2011, 2012
	Ensure that child victims of sexual exploitation are treated as victims rather than as criminals.	2012
Social Programs	Ensure that children working on the streets vulnerable to forced begging or commercial sexual exploitation receive access to education, medicine and other services.	2012

## REFERENCES

- UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary Total*; accessed February 4, 2013; <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. February 5, 2013. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
- ILO Committee of Experts. *Individual Direct Request concerning Minimum Age Convention, 1973 (No. 138) Kyrgyzstan (ratification: 1992) Submitted: 2011*; accessed April 9, 2013; <http://www.ilo.org/dyn/normlex/en/f?p=1000:20010:0::NO::>
- ILO-IPEC official. E-mail communication to USDOL official. March 6, 2012.
- AKIpress News Agency. "NGO Says Children in Kyrgyz South Start Work from Age Six." [akipress.com](http://www.akipress.com) [online] May 12, 2009 [cited April 9, 2013]; <http://www.akipress.com>.
- ILO Committee of Experts. *Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Kyrgyzstan (ratification: 2004) Submitted: 2011*; accessed April 9, 2013; <http://www.ilo.org/dyn/normlex/en/f?p=1000:20010:0::NO::>
- U.S. Department of State. "Kyrgyz Republic," in *Country Reports on Human Rights Practices- 2009*. Washington, DC; March 11, 2010; <http://www.state.gov/j/drl/rls/hrrpt/2009/sca/136089.htm>.
- Alexey Kuzmin, Erkina Ubysheva, Craig Russon. *Independent Evaluation of the ILO's Decent Work Country Programme for Kyrgyzstan: 2006-2009*. Geneva, ILO; March 2010. [http://www.ilo.org/wcmsp5/groups/public/---ed\\_mas/---eval/documents/publication/wcms\\_146035.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_mas/---eval/documents/publication/wcms_146035.pdf).
- International Labour Office. *Children in hazardous work: What we know, What we need to do*. Geneva, International Labour Organization; 2011. While country-specific information on the dangers children face in agriculture is not available, research studies and other reports have documented the dangerous nature of tasks in agriculture and their accompanying occupational exposures, injuries and potential health consequences to children working in the sector.
- International Labour Office. *Farming*, International Labour Organization, [online] January 31, 2012 [cited April 9, 2013]; [http://www.ilo.org/ipecc/areas/Agriculture/WCMS\\_172416/lang-en/index.htm](http://www.ilo.org/ipecc/areas/Agriculture/WCMS_172416/lang-en/index.htm).
- Schutrum-Boward, S. "Kyrgyz Child Labor in Coal Mines." [guilfordian.com](http://www.guilfordian.com) [previously online] September 7, 2007 [cited April 9, 2013]; <http://www.guilfordian.com/sports/kyrgyz-child-labor-in-coal-mines-1.327699> [hardcopy on file].



12. ILO. *The Main Change Has to Happen in People's Minds: A Child Labour Film Programme in Kyrgyzstan*, ILO, [online] June 11, 2010 [cited April 9, 2013]; [www.ilo.org/global/about-the-ilo/press-and-media-centre/insight/WCMS\\_141588](http://www.ilo.org/global/about-the-ilo/press-and-media-centre/insight/WCMS_141588).
13. ILO Committee of Experts. *Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Kyrgyzstan (ratification: 2004)* Published: 2009; accessed April 9, 2013; <http://www.ilo.org/dyn/normlex/en/?p=1000:20010:0::NO::>
14. U.S. Department of State. "Kyrgyz Republic," in *Country Reports on Human Rights Practices- 2011*. Washington, DC; May 24, 2012; <http://www.state.gov/j/drl/rls/hrrpt/2011/index.htm>.
15. AKIPress News Agency. "15 Underage Kyrgyz Citizens Released from Slavery in Russia." [akipress.com](http://www.akipress.com) [online] December 28, 2009 [cited April 9, 2013]; <http://www.akipress.com>.
16. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Kyrgyzstan (ratification: 2004)* Submitted: 2012; accessed November 5, 2012; <http://www.ilo.org/dyn/normlex/en/?p=1000:20010:0::NO::>
17. ILO Committee of Experts. *Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Kyrgyzstan (ratification: 2004)* Submitted: 2009; accessed April 9, 2013; <http://www.ilo.org/dyn/normlex/en/?p=1000:20010:0::NO::>
18. Government of Kyrgyz Republic. *Labor Code of the Kyrgyz Republic*, enacted 2004. [http://www.mkk.gov.kg/index.php?option=com\\_content&view=article&catid=116%3A-1-5-&id=1084%3A-i-v&lang=ru](http://www.mkk.gov.kg/index.php?option=com_content&view=article&catid=116%3A-1-5-&id=1084%3A-i-v&lang=ru) [hard copy on file].
19. ECLT Foundation. *Response to Request for Information and Invitation to Comment by The Bureau of International Labor Affairs, United States Department of Labour of November 26, 2012*; January 15, 2013. Report No. Docket No. DOL 2012-0006.
20. ILO-IPEC. *Technical Progress Report July-December 2012, Combating Child Labour in Central Asia - Commitment Becomes Action PROACT CAR Phase III*; 2012.
21. Government of Kyrgyz Republic. *On Amendments and Additions to the Family Code of the Kyrgyz Republic*, enacted 2012. [http://base.spinform.ru/show\\_doc.fwx?rgn=51991](http://base.spinform.ru/show_doc.fwx?rgn=51991) [hard copy on file].
22. K-News. "В Кыргызстане начал действовать новый Кодекс о детях." [akipress.com](http://www.knews.kg/ru/society/18880/) [online] July 11, 2012 [cited April 9, 2013]; <http://www.knews.kg/ru/society/18880/>.
23. U.S. Embassy- Bishkek. *reporting, April 2, 2012*.
24. U.S. Department of State. "Kyrgyz Republic," in *Trafficking in Persons Report- 2010*. Washington, DC; June 14, 2010; <http://www.state.gov/j/tip/rls/tiprpt/2010/142760.htm>.
25. Library of Congress. *Kyrgyz Republic: Assistance to Victims of Human Trafficking*. Library of Congress, [online] [cited April 9, 2013]; [http://www.loc.gov/lawweb/servlet/lloc\\_news?disp3\\_l205402972\\_text](http://www.loc.gov/lawweb/servlet/lloc_news?disp3_l205402972_text)
26. U.S. Embassy- Bishkek. *reporting, February 17, 2009*.
27. UNESCO. *Beyond 20/20 Web Data Systems: Table 1: Education Systems*. 2012. <http://stats.uis.unesco.org/unesco/TableViewer/tableView.aspx?ReportId=163>.
28. Government of Kyrgyz Republic. *Law of the Kyrgyz Republic on Education*, enacted 2003. <http://edu.gov.kg/ru/normativnopravovaja-bazal/zakony/3-zakon-ob-obrazovanii.html> [hard copy on file].
29. U.S. Department of State. "Kyrgyz Republic," in *Country Reports on Human Rights Practices- 2012*. Washington, DC; April 19, 2013; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>.
30. Naumann, M. *Situation Assessment of Children in the Kyrgyz Republic* UNICEF; 2011. [http://www.google.com/url?sa=t&rct=j&q=&esrc=s&frm=1&source=web&cd=1&ved=0CDEQFjAA&url=http%3A%2F%2Fwww.unicef.org%2Fkyrgyzstan%2FSituation\\_analysis\\_ENG.pdf&ei=oxF4UaW2Baf4APLyIDYcQ&usq=AFQjCNGarweNC5AXzYac1mQfBWWohajU0w&sig2=eWbK3bju8lFr5d9qgLgvtA&bv=bv.45580626,d.dmg](http://www.google.com/url?sa=t&rct=j&q=&esrc=s&frm=1&source=web&cd=1&ved=0CDEQFjAA&url=http%3A%2F%2Fwww.unicef.org%2Fkyrgyzstan%2FSituation_analysis_ENG.pdf&ei=oxF4UaW2Baf4APLyIDYcQ&usq=AFQjCNGarweNC5AXzYac1mQfBWWohajU0w&sig2=eWbK3bju8lFr5d9qgLgvtA&bv=bv.45580626,d.dmg).
31. U.S. Embassy- Bishkek official. E-mail communication to USDOL official. April 26, 2012.
32. U.S. Embassy- Bishkek official. E-mail communication to USDOL official. March 7, 2013.
33. U.S. Embassy- Bishkek. *reporting, February 6, 2013*.
34. ILO-IPEC official. Email communication to USDOL official. May 31, 2012.
35. ILO-IPEC. *Combating Child Labour in Central Asia - Commitment Becomes Action PROACT CAR Phase III*. Technical Progress Report. Geneva; January- June 2012.
36. U.S. Embassy- Bishkek. *reporting, March 2, 2010*.
37. United Nations Entity for Gender Equality and the Empowerment of Women. *Plan of Action for Combating Human Trafficking in the Kyrgyz Republic for the Period 2008-2011*, United Nations Entity for Gender Equality and the Empowerment of Women, [online] July 6, 2009 [cited April 9, 2013]; <http://sgdatabase.unwomen.org/searchDetail.action?measureId=16252&baseHREF=country&baseHREFId=731>.
38. ILO-IPEC official. Email communication to USDOL official. May 30, 2012.
39. ILO-IPEC. *Project Brief, Combating Child Labour in Central Asia - Commitment Becomes Action PROACT CAR Phase III*. Project Brief; 2012.
40. ILO-IPEC. *ILO-IPEC Kyrgyz Republic Newsletter*; August-December 2011.
41. USAID. *A Teenager Starts School Thanks to USAID*, USAID, [online] October 16, 2012 [cited April 9, 2013]; <http://www.usaid.gov/results-data/success-stories/teenager-starts-school-thanks-usaid>.