

Text of Kyrgyzstan's country narrative in the 2015 TIP Report. This text, as well as the entire TIP Report, will also be available online by July 28 at: [www.state.gov/j/tip](http://www.state.gov/j/tip)

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**KYRGYZSTAN – Tier 2**  
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The Kyrgyz Republic (or Kyrgyzstan) is a source, transit, and destination country for men, women, and children subjected to forced labor, and for women and children subjected to sex trafficking. Adult male labor migrants working abroad are reportedly at the highest risk of trafficking. Kyrgyz men, women, and children are subjected to forced labor in Russia and Kazakhstan, and to a lesser extent in Turkey and other European countries, as well as within the Kyrgyz Republic, specifically in the agricultural, forestry, construction, and textile industries, and in domestic service and forced childcare. Kyrgyz children are also subjected to forced labor in cotton and tobacco fields, the selling and distribution of drugs within the country, and hauling cargo both in Kyrgyzstan and neighboring countries. Women and girls are subjected to sex trafficking abroad, reportedly in Turkey, the United Arab Emirates (UAE), India, Russia, Kazakhstan, and within the country. Kyrgyz police officers allegedly exploit female trafficking victims, including some younger than age 18, for sex both in saunas and on the street. Police also allegedly threaten and extort sex trafficking victims, including minors, and reportedly accept bribes from alleged traffickers to drop cases. Street children who engage in begging and children engaged in domestic work (often in the homes of extended family members) are vulnerable to human trafficking. Women and underage teenaged girls from Uzbekistan are increasingly subjected to sex trafficking in southern Kyrgyzstan. Some men and women from Uzbekistan, Tajikistan, and Turkmenistan transit the country as they migrate to Russia, the UAE, and Turkey, where they may become victims of sex and labor trafficking. International organizations and NGOs reported that some Kyrgyz individuals who join extremist fighters in Syria are forced to remain against their will and that others, including minors, may be deceived by recruiters promising jobs in Turkey, to later be forced by extremist groups to fight, work, or endure sexual servitude in Syria.

The Government of the Kyrgyz Republic does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government established a parliamentary commission to complete an evaluation of the government's anti-trafficking efforts and reported increased prosecutions and convictions of trafficking offenders. However, the government did not have formal written procedures to guide officials in proactive

identification or referral of victims. Additionally, the government failed to adequately address alleged complicity in trafficking and trafficking-related offenses despite a 2013 report by the UN special rapporteur on the sale of children, child prostitution, and child pornography that concluded there was serious and endemic corruption of police officers, who allegedly participated themselves in the detention and rape of child sex trafficking victims.

**RECOMMENDATIONS FOR KYRGYZSTAN:** Vigorously investigate and prosecute government officials suspected of being complicit in trafficking or who engage in abuse and exploitation of trafficking victims, and convict and punish those found guilty; continue efforts to investigate and prosecute suspected trafficking crimes, respecting due process, and convict and punish trafficking offenders, ensuring the majority of those convicted serve time in prison; increase efforts to proactively identify trafficking victims among vulnerable groups, such as street children, persons in prostitution, adult and child agricultural laborers, and Kyrgyz migrant workers, and refer those victims to protective services; enact legislation consistent with international law to ensure prosecuting the prostitution of minors does not require proof of force, fraud, or coercion; develop and implement child-sensitive investigation and prosecution procedures for cases in which children may be victims of human trafficking; continue to provide premises for NGO-run shelters; continue to contribute to efforts by international organizations to train police, prosecutors, and judges; and ensure identified trafficking victims are not punished for unlawful acts committed as a direct result of being subjected to trafficking.

## **PROSECUTION**

The government made modest anti-trafficking law enforcement efforts, but did not adequately address serious allegations of official complicity. The 2005 Law on Prevention and Combating Trafficking in Persons creates the legal framework to combat trafficking in persons outside of the criminal law arena, focusing on protection and assistance for trafficking victims. In addition, Article 124 of the criminal code, entitled “Trafficking in Persons,” criminalizes both sex and labor trafficking of adults and covers a non-trafficking offense, “child adoption for commercial purposes.” Contrary to international law, Article 124 requires the prosecutor to prove the offender used force, blackmail, fraud, deception, or abduction for cases of sex trafficking regardless of whether the victim is a child or adult. Article 124 prescribes penalties of five to 20 years’ imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. There are other provisions of the criminal code that include trafficking-related offenses. For example, Article 157 makes it a crime to involve a

minor in begging and other activities (such as use of narcotic drugs) and prescribes penalties that range from a fine to four years' imprisonment. Prosecutors may also charge traffickers using Article 260, amended in 2014, to increase the penalties for engaging a person in prostitution through the use of force or the threat of force or fraud, and mandates, in some circumstances, substantial prison sentences. While the crime remains generally punishable by a fine or imprisonment of three to five years, in the presence of aggravating circumstances, longer prison sentences are mandatory. For example, when the victim is a child aged 14-17 years, the penalty is five to 10 years' imprisonment, and if the victim is younger than 14 years, the penalty is 10 to 15 years' imprisonment. Article 261 criminalizes organizing others into prostitution or maintaining a brothel without the use or threat of physical violence, and imposes the same penalties for child victims as are set forth in Article 260. Article 15 of the Code on Children prohibits forced child labor.

The government reported its initiation of 11 investigations in 2014, which included seven forced labor and four sex trafficking cases. The Ministry of Labor, Migration, and Youth (MLMY), which is mandated to coordinate the government's anti-trafficking efforts, reported the government prosecuted 20 cases in 2014. The prosecutor general's office reported 21 offenders were prosecuted, an increase from three in 2013; however, it is unclear if this corresponds to those reported by MLMY, as the government does not have a unified database to track trafficking statistics. The government reported its conviction of 15 offenders in 2014, an increase from zero in 2013; however, it is unclear how many of the convictions were for trafficking as opposed to child adoption for commercial purposes. These cases were all prosecuted and convicted under Article 124. The media and international organizations also reported law enforcement efforts against alleged traffickers under other statutes, including investigations of adults who recruited minors into prostitution.

Corruption is a systemic problem in Kyrgyzstan; NGOs and international organizations reported law enforcement officials often accepted bribes to drop cases and sometimes warned suspects prior to raids. Traffickers were reportedly also able to avoid punishment by offering victims small amounts of money to drop cases. The Special Rapporteur on the Sale of Children, Child Prostitution, and Child Pornography documented allegations of law enforcement officials' complicity in human trafficking in a 2013 report; police officers allegedly threatened, extorted, and raped child sex trafficking victims. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. An international organization reported the government prosecuted and convicted a senior police officer for his role in

recruiting a labor trafficking victim, but the officer was later acquitted when the victim applied to overturn the case due to conciliation of the parties, reportedly after secretly accepting payment from the officer.

## **PROTECTION**

The government maintained minimal efforts to protect and assist trafficking victims. The government remained without formal written procedures to guide officials in proactive identification of trafficking victims among high-risk populations. The government did not report a comprehensive count of identified victims; however, it did report identifying 21 Kyrgyz labor trafficking victims in Russia, and 23 Kyrgyz sex trafficking victims in Turkey and the UAE.

International organizations and NGOs reported assisting 194 victims in 2014, 182 of whom were subjected to forced labor, nine to sex trafficking, and three to both labor and sex trafficking; three of the victims were younger than 18 years and 137 were male. The government continued to provide in-kind assistance to anti-trafficking NGOs, including the facilities used by three NGO-run shelters (two for adults and one for children) that provided services for trafficking victims. The government also continued to provide a national toll-free telephone line and office space to an NGO-run counter-trafficking and labor migration hotline that provided legal advice and assistance to trafficking victims. Local law enforcement and educational institutions retained informational materials to provide to trafficking victims. Kyrgyz consular officials assisted an unknown number of victims abroad by providing no-cost travel documents and, in some cases, escorting the victim to the border. Such efforts included MLMY and the Embassy of the Kyrgyz Republic in Russia partnering with an international organization to repatriate 21 victims of trafficking in 2014.

Police do not use child-sensitive procedures when dealing with child victims during case investigation and courts do not provide safeguards to ensure their privacy and protection. The government reportedly punished trafficking victims for crimes they were forced to commit as a direct result of being subjected to trafficking. According to the 2013 UN special rapporteur report, police officers allegedly detained child sex trafficking victims, releasing them only after they performed sexual acts. Kyrgyz police extorted bribes from child sex trafficking victims through threats of arrest for prostitution, even though prostitution was neither illegal nor an administrative offense. The Bishkek Police Department for Combating Human Trafficking and Crimes Against Public Morality focused on raiding brothels, the ownership of which is illegal, but did not have formal written procedures in place for the identification and protection of potential sex trafficking victims; thus, officials may have penalized and arrested unidentified victims.

## **PREVENTION**

The government made efforts to prevent trafficking. During the reporting period, the government created a parliamentary commission to complete an evaluation of the government's overall anti-trafficking efforts and publicized the need to improve them. In November 2014, a second MLMY employment center was opened in Osh, with funding and support from an international organization and foreign government, to complement the similar center in Bishkek. The centers provided employment services, vacancy advertisement, pre-departure orientation, which included trafficking prevention, and other services for job seekers to ensure safer migration and employment. During the reporting period, MLMY broadcasted videos on its website and two television channels about how to find legal employment abroad and generally avoid trafficking and labor exploitation. Additionally, MLMY carried out an unknown number of trafficking prevention and awareness events in cooperation with local law enforcement and other government agencies. MLMY also monitored the government's implementation of programs under its 2013-2016 anti-trafficking action plan. The government commission to review and issue permits for private agencies that recruit migrant workers met in August 2014 and canceled permits for four agencies; MLMY disseminated information about the permit status of the agencies online and through the employment centers. The Ministry of Education distributed information on human trafficking among students in public schools and at higher education institutions. The border service provided anti-trafficking information at border crossings. The NGO-run hotline, supported in-kind by the government, provided awareness-raising and general prevention information to callers. The government provided anti-trafficking guidance for its diplomatic personnel. The government did not report efforts to reduce the demand for commercial sex acts or forced labor.