

KYRGYZ REPUBLIC (TIER 2)

The Kyrgyz Republic is a source, transit, and to a lesser extent, a destination country for men and women trafficked from Uzbekistan, Tajikistan, Turkmenistan, and South Asia for purposes of forced labor and commercial sexual exploitation. Men and women are trafficked to Kazakhstan and Russia for the purpose of forced labor in the agricultural, construction, and textile industries. Kyrgyz and foreign women are trafficked to the U.A.E, Kazakhstan, China, South Korea, Turkey, Greece, Cyprus, Thailand, Germany, and Syria for commercial sexual exploitation. The city of Osh is a growing destination for women trafficked from Uzbekistan for the purpose of commercial sexual exploitation.

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. Human trafficking complicity of low-level government officials remained a concern. The government maintained good efforts to protect and assist Kyrgyz labor migrants and potential trafficking victims in key destination countries. In September 2008, the government enacted a new anti-trafficking national action plan.

Recommendations for Kyrgyz Republic: Increase efforts to prosecute and convict trafficking offenders and ensure that a majority of convicted trafficking offenders serve time in prison; vigorously investigate, prosecute, convict, and punish government officials complicit in trafficking; continue to improve the collection of trafficking law enforcement data; continue trafficking sensitivity training for police, prosecutors, and judges; continue efforts to repatriate expeditiously Kyrgyz victims found abroad; ensure that victims of trafficking are not punished for acts committed as a direct result of being trafficked; and encourage greater registration of newborns, thereby reducing the number of undocumented persons vulnerable to trafficking.

Prosecution

The Kyrgyz government improved its collection of trafficking-specific law enforcement data, although it demonstrated weak law enforcement efforts during the reporting period. The 2005 Law on Prevention and Combating Trafficking in Persons criminalizes trafficking for both sexual exploitation and forced labor and prescribes penalties ranging from 3 to 20 years' imprisonment, which are sufficiently stringent and commensurate with prescribed penalties for other grave crimes, such as rape. In 2008, the government conducted 92 investigations, according to its definition of trafficking -- which appears broader than the U.S. Government's definition -- an increase from 33 investigations in 2007. The government reportedly prosecuted eight defendants and secured the convictions of six trafficking offenders in 2008. Four of the six convicted trafficking offenders in 2008 received suspended sentences. Sentences for the other two convicted traffickers ranged from three to eight years' imprisonment. NGOs contend that some low-level law enforcement officials are complicit in human trafficking and accept bribes from traffickers; other low-level police tolerate trafficking due to a lack of awareness. The government reported no efforts to investigate, prosecute, convict, or punish these complicit government officials.

Protection

The government sustained modest efforts to assist victims during the reporting period. The government and NGOs identified 161 victims of trafficking in 2008, compared to 331 victims identified in 2007. Although the government provided no direct funding for shelter or medical assistance to victims, it continued to provide space for three shelters run by anti-trafficking NGOs. In 2008, thirty-four of the 117 victims assisted by NGOs and international organizations

were assisted by shelters that received in-kind government assistance. Government officials referred 20 victims to IOM and NGOs for assistance in 2008, a significant increase from four victims so referred in 2007. Victims were encouraged to participate in trafficking investigations and prosecutions. Victims who cooperated with law enforcement investigations were not penalized for crimes committed as a direct result of being trafficked; there were no reports of victims who did not cooperate with law enforcement being penalized during the reporting period. NGOs reported improved efforts by government officials to quickly repatriate Kyrgyz nationals; in previous years, some victims remained in destination countries for several months awaiting the Kyrgyz government's issuance of necessary travel documents.

Prevention

Kyrgyzstan maintained its limited human trafficking prevention efforts over the last year. The government continued to publish brochures and leaflets in both Kyrgyz and Russian languages advising Kyrgyz nationals seeking work abroad of the dangers of trafficking and providing the numbers for trafficking assistance hot-lines in several key destination countries. The Kyrgyz government maintained migration offices in six key destination cities in Russia to assist and advise its nationals vulnerable to labor trafficking of their rights and also provided in-kind assistance to an NGO-run national labor migration hotline that provided legal advice and assistance to potential victims of trafficking.