

Q. Kyrgyzstan

1. Background

In comparison with other CIS states, Kyrgyzstan is economically underdeveloped and, unlike other Central Asian countries, has relatively little in the way of natural resources. Since its independence from the Soviet Union in 1991, there has been constant unrest and political change in the country. Most recently, in April 2010, the public's dissatisfaction with the president led to demonstrations and an ultimately violent change of government. The constitutional referendum held in June 2010 made Kyrgyzstan the first parliamentary republic in Central Asia.

Kyrgyzstan may have signed several human rights agreements and guaranteed fundamental rights in its constitution, but the actual enforcement of human rights laws is inadequate. In order to improve the situation for vulnerable groups in Kyrgyzstan in particular, such as children, women and the disabled, the Global Knowledge Transfer project team has been carrying out a project funded by the European Union to protect these minorities since 1 May 2012. The legal situation in the country is to be analysed in close contact with local partners, and multipliers are to be educated on human rights.

2. Projects

Only a few days after the beginning of the project in May 2012, the first coordination meetings took place in Bishkek, Kyrgyzstan. At the meetings, Global Knowledge Transfer staff were able to exchange opinions with the local cooperation partner, the Kyrgyz NGO "Kyz Ayim", regarding the particularities of the legal situation in Kyrgyzstan and begin the coordination of the project. The former Kyrgyz constitutional judge, Chynara Musabekova is working on the side of Kyz Ayim as a correspondent and project coordinator in the project country.

At a later round table in the judicial faculty of the university in Bishkek, the discussions were intensified and the aims of the project – strengthening the rights of children, women and the disabled – came into focus. The local Kyrgyz experts, who will examine the status of legislation concerning these disadvantaged groups in academic essays, presented their exposés before discussing them with Global Knowledge Transfer staff. In the further course of the project, the Heidelberg team of experts will evaluate the essay results and check the legal situation in Kyrgyzstan for compliance with international law. Current legislation can thus be analysed to draw up proposals to improve the situation and improve how executive bodies apply applicable law.

The participants at the round table included former constitutional judges, parliamentary lawyers, law professors from the university in Bishkek, representatives of the Kyrgyz Bar and lawyers from Kyrgyz NGOs.

The first journey to Kyrgyzstan therefore provided an important insight into the legal situation in the country and enabled the preparation of the project activities that followed. These began in summer 2012 with the creation of six studies on the project themes and continued in September 2012 when lecturers were prepared for future seminars.



Train-the-Trainers Seminar in Bishkek

3. Further planning

Along with the aforementioned analysis of the legal situation, developing proposals for improvement and improving how executive bodies apply applicable law, a series of training activities to strengthen the rights of children, women and the disabled in Kyrgyzstan is planned. In seminars lasting several days, planned in five oblasts of the country (Chui, Talas, Osh, Naryn, Issyk-Kul), around 100 lawyers from NGOs specialising in protecting the rights of children, women and the disabled, 25 defence lawyers specialising in human rights protection, 25 judges, 200 law students and 25 representatives of stakeholders are to be trained. The main topics will include:

a) Fair trial principles: International standards and legislation in Kyrgyzstan, specific elements of the fair trial principle, the right to the administration of justice and practice in Kyrgyzstan, independence and impartiality of the court (international standards and national legislation in Kyrgyzstan), fair trial guarantees in criminal trials in Kyrgyzstan (compliance with international standards).

b) Protection of children's rights in court: children's rights compared to national and international standards, rights of young people in civil proceedings in Kyrgyzstan, rights of young people in criminal proceedings in Kyrgyzstan.

c) Protection of women's rights in court: women's rights compared to national and international standards, women's rights in civil proceedings in Kyrgyzstan, women's rights in criminal proceedings in Kyrgyzstan.

d) Protection of the rights of the disabled and minorities in court: rights of the disabled compared to national and international standards, rights of the disabled in civil proceedings in Kyrgyzstan, rights of the disabled in criminal proceedings in Kyrgyzstan.

These seminars are able to reach more than 300 multipliers and, in intensive training activities, these participants can broaden their knowledge about the current law in Kyrgyzstan, discuss and stimulate recommendations for improving the legal situation, acquire practical guidelines, become acquainted with the function and role of civil society, exercise existing rights or support third parties in exercising their rights and in doing so improve human rights protection and protection of minorities in Kyrgyzstan.

