

In 2014, the Kyrgyz Republic made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government began conducting a national child labor survey in collaboration with the ILO. However, children in the Kyrgyz Republic are engaged in child labor, including in cotton cultivation, and in the worst forms of child labor, including in tobacco cultivation. Interagency coordination on child labor continued to be poor and legal protections, such as minimum age of employment and prohibition on hazardous work, are not extended to children engaged in non-contractual employment.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in the Kyrgyz Republic are engaged in child labor, including in cotton cultivation. Children are also engaged in the worst forms of child labor, including in tobacco cultivation.(1-3) Table 1 provides key indicators on children's work and education in the Kyrgyz Republic.

**Table 1. Statistics on Children's Work and Education**

| Children                      | Age       | Percent      |
|-------------------------------|-----------|--------------|
| Working (% and population)    | 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 (%)   |           | 97.7         |

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(4)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 3, 2006.(5)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

| Sector/Industry                         | Activity   |
|---|--|
| Agriculture                             | Cultivating cotton, tobacco,† rice,* potatoes,* sugar beets,* and wheat* (1-3, 6-13)                                       |
|   | Raising cattle* and sheep* (6, 7, 11-13)   |
| Industry                                | Coal mining*† (6, 7, 12, 13)   |
|   | Brick making* (6, 7, 12, 13)   |
|   | Construction, including lifting and portering construction materials,* and cutting metal sheets for roofs* (6, 7, 13)      |
| Services                                | Loading and unloading goods, portering, and selling items, including food and newspapers, in bazaars (6, 8, 10, 12, 14-18) |
|   | Collecting plastic bottles* and garbage* in bazaars (8, 19)  |
|   | Washings cars* (6, 10, 17)   |
|   | Working in restaurants and cafes, including serving food* and washing dishes* (6, 8, 12, 20)                               |
| Categorical Worst Forms of Child Labor‡ | Street work, including begging* and shoe shining* (6, 12, 17, 21, 22)  |
|   | Domestic work, including babysitting* (6, 7, 9, 19, 21, 22)  |
|   | Forced begging* and forced labor in tobacco cultivation*(12, 21, 22)   |
|   | Commercial sexual exploitation, sometimes as a result of human trafficking* (3, 7, 17, 19, 21, 22)                         |
|   | Used in illicit activities, including trafficking of illegal drugs as a result of human trafficking* (6, 21)               |

\* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

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According to the most recent child labor survey conducted in 2007, child labor is concentrated in agriculture, primarily in the *oblasts* (provinces) of Issyk Kul and Osh.(15) Children also transport and sell items in local bazaars.(15)




Labor migration from southern to northern areas of the Kyrgyz Republic and from the Kyrgyz Republic to Kazakhstan and the Russian Federation is a common occurrence. Some parents leave their children behind, oftentimes without birth certificates and guardianship documents. As a result, some children cannot enroll in school and are vulnerable to the worst forms of child labor.(8, 11, 12) Similarly, many ethnic Lyuli children, a subgroup of the Roma people living in Central Asia, are out of school, and child labor is prevalent in this community.(6) Children with disabilities and those living and working on the street also have difficulty accessing education.(7, 15, 18, 23) Some schools require residence registration known as *propiska* for enrollment, even though according to the Ministry of Education and Science, this is not mandatory.(7, 9, 19)

In 2014, the National Statistics Committee, in cooperation with the ILO-IPEC, began conducting interviews with 6,000 households for a national child labor survey.(24)

## II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

The Kyrgyz Republic has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

|   | Convention   | Ratification |
|---|--|--------------|
|    | ILO C. 138, Minimum Age  | ✓            |
|   | ILO C. 182, Worst Forms of Child Labor   | ✓            |
|   | UN CRC   | ✓            |
|   | UN CRC Optional Protocol on Armed Conflict   | ✓            |
|   | UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography | ✓            |
|  | Palermo Protocol on Trafficking in Persons   | ✓            |

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

| Standard  | Yes/No | Age | Related Legislation  |
|---|--------|-----|--|
| Minimum Age for Work  | Yes    | 16  | Article 18 of the Labor Code (25)  |
| Minimum Age for Hazardous Work                                  | Yes    | 18  | Article 294 of the Labor Code (25); Article 15 of the Code on Children (26)  |
| Prohibition of Hazardous Occupations or Activities for Children | Yes    |     | Article 294 of the Labor Code (25); Decree 314 (27); Annex I of Decree 548 (28)  |
| Prohibition of Forced Labor                                     | Yes    |     | Article 10 of the Labor Code (25); Article 15.2 of the Code on Children (26)   |
| Prohibition of Child Trafficking                                | Yes    |     | Articles 1 and 12 of the Law on Preventing and Combating Human Trafficking (29); Article 124 of the Criminal Code (30) |
| Prohibition of Commercial Sexual Exploitation of Children       | Yes    |     | Article 157 of the Criminal Code (30); Articles 5 and 15 of the Code on Children (26)                                  |
| Prohibition of Using Children in Illicit Activities             | Yes    |     | Articles 157, 249, 247, and 375 of the Criminal Code (30); Articles 5 and 15 of the Code on Children (26)              |
| Minimum Age for Compulsory Military Recruitment                 | Yes    | 18  | Articles 17.1 and 22.1 of the Law on Military Service (31)   |
| Minimum Age for Voluntary Military Service                      | Yes    | 18  | Article 24.1 of the Law on Military Service (31)   |
| Compulsory Education Age  | Yes    | 15  | Article 16 of the Law on Education (32)  |
| Free Public Education   | Yes    |     | Article 16 of the Law on Education (32)  |

According to Article 6 of the Labor Code, protections, such as the minimum age of employment and prohibition on hazardous work, are not extended to children engaged in non-contractual employment.(25) Most incidences of child labor occur in employment relationships where the child does not have a signed employment contract with the employer.(8, 11) Children in the Kyrgyz Republic are also required to attend school only until grade nine, which is typically until they reach age 14 or 15.(8, 9, 23, 33) This standard makes such children between the ages of 15 and 16 vulnerable to child labor, as they are not required to be in school but are not legally permitted to work either.

The Ministry of Social Development and the ILO indicate that the list of hazardous work in Decrees 314 and 548 is outdated.(34) The Government has drafted a revised list in 2011, which has not yet been approved.(35)

In 2014, the President signed the decree on Social Support for Children and Families in Difficult Living Conditions to address the root causes of child labor.(35)

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

| Organization/Agency  | Role   |
|--|--|
| State Inspectorate on Ecological and Technical Safety          | Monitor work sites and refer child laborers to social services. Cooperate with the Inspectorate for Minors' Affairs in the Ministry of Internal Affairs, the Prosecutor General's Office, and regional State District Administration authorities to enforce child labor laws.(35)  |
| Ministry of Internal Affairs' Inspectorate for Minors' Affairs | Enforce criminal laws related to the worst forms of child labor; conduct independent inspections and joint raids with the State Inspectorate on Ecological and Technical Safety to find neglected or abused children; and refer children to social institutions for care.(35)  |
| Prosecutor General's Office                                    | Enforce and apply laws concerning labor, including by conducting labor inspections and investigating child labor violations in coordination with the State Inspectorate on Ecological and Technical Safety.(35, 36)  |
| <i>Oblast</i> Administration                                   | Enforce child labor laws at the <i>oblast</i> level.(35)   |
| Ministry of Social Development                                 | Serve as the key government agency for child issues charged with protecting children and families in difficult conditions, including child laborers.(6) Child labor issues are covered by the Ministry's Department of Child Protection. Monitor for children engaged in the worst forms of child labor.(6) Coordinate with <i>oblast</i> -level authorities to pursue violations of child labor laws.(33) |

Law enforcement agencies in the Kyrgyz Republic took actions to combat child labor, including its worst forms.

#### ***Labor Law Enforcement***

In 2014, the State Inspectorate on Ecological and Technical Safety employed 23 inspectors charged with investigating all labor issues, including child labor. Given the size of the workforce, the number of labor inspectors was inadequate to ensure appropriate enforcement of child labor laws.(6, 18) State Inspectorate on Ecological and Technical Safety officials noted that insufficient funds hindered enforcement efforts. Inspectors attended weekly personnel meetings where they received updates and training on issues, including child labor.(18) During the reporting period, labor inspectors identified 243 children engaged in child labor and issued penalties for employers.(18) Unannounced inspections are not permitted; in accordance with Article 6.6 of the Business Inspections Act, labor inspectors must inform businesses of inspections 10 days in advance.(37)

#### ***Criminal Law Enforcement***

In 2014, a total of 22 cases of human trafficking, forced labor, and commercial sexual exploitation were investigated. The Prosecutor General's Office prosecuted 9 cases involving 21 suspected offenders and 6 child victims.(38) Fifteen offenders were convicted.(38) Research did not find information on the number of investigators, their training, and the implementation of penalties.

In 2013, some child victims of commercial sexual exploitation were treated as criminals or were further abused by law enforcement officials, including while in custody.(3, 21, 39) Concerns about law enforcement's treatment of child victims of commercial sexual exploitation remained in 2014 because the Government did not investigate allegations of police misconduct. Some law enforcement officials acknowledged that more should be done to protect child victims.(33)

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### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

Research found no evidence that the Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms.<sup>(6)</sup> The National Coordination Council on Child Labor was previously in charge of developing policies to eliminate child labor, but it is no longer operational.<sup>(11)</sup>

### V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of the Kyrgyz Republic has established policies related to child labor, including its worst forms (Table 6).

**Table 6. Policies Related to Child Labor**

| Policy   | Description  |
|--|--|
| National Program Against Human Trafficking and Action Plan for the Implementation of the Program (2013–2016) | Aims to provide protection to children in difficult situations to prevent them from becoming victims of sexual, labor, or criminal exploitation. Does not, however, have a specific focus on the commercial sexual exploitation of children. Action Plan is overseen by the Ministry of Labor, Migration, and Youth. <sup>(35)</sup> |
| Sustainable Development Plan (2013–2017)   | Addresses child labor by undertaking a child labor survey, strengthening enforcement mechanisms for monitoring child labor, and replicating best practices to improve access to education. <sup>(35, 40)</sup>   |
| Roadmap on Out-of-School Children  | Seeks to collect information on the problem of school nonattendance and develop a comprehensive list of activities to address the issue. Developed by UNICEF, the ILO, the Ministry of Education; currently under revision. <sup>(40)</sup>  |
| National Education Strategy (2012–2020)  | Seeks to improve access to education, develop skills based on labor market needs, and increase access to elementary education for illiterate individuals and those who dropped out of school. <sup>(41)</sup>  |
| Social Protection Development Strategy (2012–2014)   | Aims at formulating the guidelines for the Child Labor Monitoring System, revising the list of hazardous work prohibited for children, and preparing for the replication of the Child Labor Monitoring System in other regions of the country. <sup>(35)</sup>   |

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of the Kyrgyz Republic funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

**Table 7. Social Programs to Address Child Labor**

| Program  | Description  |
|--|--|
| Combating Child Labor in Central Asia—Commitment Becomes Action (PROACT CAR Phase III) (2010–2015) | Government of Germany-funded, \$6.7 million, 5-year project implemented by the ILO-IPEC to mainstream child labor issues into national policies and legislation, build the capacity of stakeholders, and provide direct services to children withdrawn from the worst forms of child labor. <sup>(40)</sup> There is a pilot program in two districts that consists of evening classes for children engaged in child labor and child labor monitoring by teachers and social workers. <sup>(7, 42)</sup> |
| Implementing Practices to Address Child Labor in Tobacco in Kyrgyzstan (IMPACT) (2013–2015)        | Eliminating Child Labor in Tobacco Growing Foundation-funded, \$709,943, 2-year project implemented by the Alliance on Protection of Child Rights that works to eliminate child labor in tobacco-growing communities in southern areas of the Kyrgyz Republic. Objectives include preventing 3,000 children from entering child labor and improving access to education, water, and sanitation. <sup>(43)</sup>  |
| Evening Classes for Child Laborers‡  | ILO and Ministry of Education and Science project that provides evening classes to secondary school students in districts where there is a high concentration of child laborers. Includes weekly or biweekly family consultations with social workers who observe the children during which the parents receive information on the hazards of child labor. <sup>(44)</sup>   |
| Social Support for Children and Families in Difficult Living Conditions‡                           | Social workers monitor places where children may be working, with a primary focus on bazaars. <sup>(33)</sup> The decree indicates that social workers will assist with returning children to school and ensure that they are no longer working. <sup>(33)</sup>   |
| World Day Against Child Labor  | ILO-IPEC media campaign for World Day Against Child Labor in 2014, highlighting extending social protections to eliminate child labor. <sup>(33)</sup>   |
| Toll-Free Hotline for Human Trafficking‡   | Ministry of Labor, Migration, and Youth's toll-free line provided to the IOM that offers information to potential labor migrants and assistance to victims of human trafficking. <sup>(23)</sup>   |

**Table 7. Social Programs to Address Child Labor (cont)**

| Program  | Description   |
|--|---|
| Ministry of Education and Science National School Attendance Database‡ | Launched in 2014, pilot national electronic database to track children who do not attend school. Although not operational, database information will be shared with the Ministry of Social Development to assist children engaged in child labor.(9) The Ministry of Internal Affairs will also be informed of cases of criminal violations of child labor laws. In addition, social pedagogues will work with families to ensure that children attend school.(9) |

‡ Program is funded by the Government of the Kyrgyz Republic.

Research found no evidence that the Government has carried out programs to assist children in domestic work, cotton cultivation, and herding during the reporting period.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in the Kyrgyz Republic (Table 9).

**Table 8. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

| Area            | Suggested Action   | Year(s) Suggested |
|-----------------|--|-------------------|
| Legal Framework | Ensure that the law's minimum age provisions and hazardous work prohibitions apply to children working without a signed employment contract. | 2014              |
|                 | Increase the age for compulsory schooling to 16, the minimum age to work.  | 2014              |
| Enforcement     | Increase the number of labor inspectors and provide inspectors adequate resources to conduct inspections.                                    | 2012 – 2014       |
|                 | Strengthen the inspection system by permitting unannounced inspections.  | 2014              |
|                 | Collect and make publicly available the number of criminal investigators, their training, and the implementation of penalties.               | 2011 – 2014       |
|                 | Ensure that children engaged in child labor are not treated as criminals.  | 2014              |
|                 | Investigate allegations of, and take appropriate legal action against, police misconduct, including sexual abuse of child laborers.          | 2014              |
| Coordination    | Establish coordinating mechanisms to combat child labor, including all its worst forms.  | 2012 – 2014       |
| Social Programs | Ensure that all children have access to free education.  | 2009 – 2014       |
|                 | Institute programs to address child labor in agriculture, including the cultivation of cotton, domestic work, and herding.                   | 2014              |

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