



International Convention on the Elimination of All Forms of Racial Discrimination

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Committee on the Elimination of Racial Discrimination

Concluding observations on the combined eleventh and twelfth periodic reports of Kyrgyzstan*

1. The Committee considered the combined eleventh and twelfth periodic reports of Kyrgyzstan,¹ submitted in one document, at its 3153rd and 3154th meetings,² held on 1 and 2 May 2025. At its 3162nd meeting, held on 8 May 2025, it adopted the present concluding observations.

A. Introduction

2. The Committee welcomes the submission of the combined eleventh and twelfth periodic reports of the State Party. The Committee also welcomes the constructive dialogue with the high-level delegation and wishes to thank the delegation for the information that it provided during the Committee's consideration of the reports and after the dialogue.

B. Positive aspects

3. The Committee welcomes the ratification by the State party of the Convention on the Rights of Persons with Disabilities, in May 2019.

4. The Committee also welcomes the following legislative and policy measures taken by the State Party:

(a) The State Standard of General Education as a policy framework that promotes diversity and respect for the cultures, languages and traditions of various ethnic groups in the State Party, adopted by the Cabinet of Ministers in March 2025;

(b) Presidential Decree No. 4 on measures to improve the migration situation, which highlights the importance of supporting migrant workers in the State Party, on 29 January 2021;

(c) Cabinet of Ministers Order No. 341 of 24 December 2021 on the adoption of an action plan for implementing the Concept for the Development of the Civic Identity of the Kyrgyz Zharany for the period 2021–2026 that promotes ethnic diversity and the development of multilingualism;

(d) Act No. 123 of 20 October 2021 on Local State Administrations and Local Government Bodies, which empowers local administrations to take measures to prevent inter-ethnic conflicts;

* Adopted by the Committee at its 115th session (22 April–9 May 2025).

¹ CERD/C/KGZ/11-12.

² See CERD/C/SR.3153 and CERD/C/SR.3154.



(e) Government Decision No. 200 of 4 May 2021 on the adoption of the National Education Development Programme for the period 2021–2023 and its action plan, for the promotion of multilingual education;

(f) Presidential Decree No. 39 of 13 November 2020 on the approval of the Concept for the Development of the Civic Identity of the Kyrgyz Zharany for the period 2021–2026, for the promotion of civic identity and respect for the values of diversity and tolerance;

(g) Presidential Decree No. 221 of 31 October 2018 on the adoption of the National Development Strategy for the period 2018–2040 for the promotion of inter-ethnic harmony and protection of the rights of citizens regardless of their ethnicity;

(h) The Cabinet of Ministers Programme to Combat Trafficking in Persons, for 2022–2025.

C. Concerns and recommendations

Statistics

5. The Committee takes note of the statistics provided by the delegation during the dialogue on the demographic composition of its population, disaggregated by ethnicity, and on refugees and asylum-seekers. However, the Committee is concerned about the lack of disaggregated data on non-citizens, such as documented and undocumented migrants, and stateless persons. It is also concerned about the lack of detailed and comprehensive information on the socioeconomic situation of ethnic minority groups and of non-citizens. This lack limits the Committee's ability to properly assess the situation of such groups, including their socioeconomic status and any progress achieved through the implementation of targeted policies and programmes (arts. 1, 2 and 5).

6. Recalling its general recommendation No. 8 (1990) concerning the interpretation and application of article 1 (1) and (4) of the Convention, and its guidelines for reporting under the Convention,³ the Committee recommends that the State Party collect and provide to the Committee reliable, updated and comprehensive statistics on the demographic composition of the population, based on the principle of self-identification, including on ethnic minority groups and non-citizens, such as documented and undocumented migrants, refugees, asylum-seekers and stateless persons. It also recommends that the State Party produce disaggregated statistics on the socioeconomic situation of ethnic minority groups and of non-citizens and on their access to education, employment, healthcare and housing, with a view to creating an empirical basis for assessing the equal enjoyment of the rights enshrined in the Convention.

Convention in the domestic legal order

7. The Committee takes note of the information that the Convention is part of the domestic legal order pursuant to article 6 of the Constitution. Nevertheless, the Committee regrets the lack of information on cases where the provisions of the Convention were invoked before or applied by domestic courts (art. 2).

8. Reiterating its previous recommendations,⁴ the Committee recommends that the State Party conduct systematic training programmes and awareness-raising campaigns, in particular for judges, prosecutors, lawyers and law enforcement officials, to ensure that the provisions of the Convention are invoked when relevant by and before domestic courts. It requests the State Party to include in its next periodic report concrete examples of the application of the Convention by domestic courts.

³ CERD/C/2007/1.

⁴ CERD/C/KGZ/CO/8-10, para. 5.

Prohibition of racial discrimination

9. The Committee notes the information provided on the legislative framework regarding equality and non-discrimination, particularly in accordance with article 24 of the Constitution which prohibits discrimination, including on the grounds of race and ethnicity, and notes that discrimination is criminalized on the grounds of race and ethnicity under article 189 of the Criminal Code. Nevertheless, the Committee is concerned about:

(a) The absence of “colour”, “national origin” and “descent” as prohibited grounds of discrimination in the definition of discrimination provided in article 24 of the Constitution and article 189 of the Criminal Code;

(b) The withdrawal in 2023 of the draft law on ensuring the right to equality and protection from discrimination, from the consideration of the parliament for revision, and the lack of information on its status;

(c) The lack of comprehensive anti-discrimination legislation containing an explicit definition of racial discrimination on all the grounds enumerated in article 1 of the Convention and expressly prohibiting structural, direct, indirect and intersecting forms of discrimination in the public and private spheres (arts. 1, 2, and 5).

10. **Reiterating its previous recommendations,⁵ the Committee urges the State Party:**

(a) **To review its legal framework, particularly article 24 of the Constitution and article 189 of the Criminal Code, with a view to bringing it into line with the Convention, explicitly incorporating the principle of equality and the prohibition of racial discrimination on all prohibited grounds, in line with article 1 of the Convention;**

(b) **To develop and adopt comprehensive anti-discrimination legislation that contains a clear definition of racial discrimination and encompasses structural, direct, indirect and intersecting forms of discrimination in both the public and private spheres, in accordance with article 1 of the Convention.**

National human rights institution

11. While noting the information provided by the delegation during the dialogue on the measures to develop a draft law on the establishment of a national human rights institution that is in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), the Committee remains concerned about the limited progress and the delay in adopting the draft law. Furthermore, the Committee is concerned about the lack of a transparent, participatory and merit-based process for selecting and appointing the members of the Office of the Ombudsperson (Akyikatchy). It also notes with concern the lack of institutional independence, the dismissal of the Ombudsperson by the parliament in May 2023, and reports of harassment and intimidation by law enforcement agencies targeted at the Office of the Ombudsperson (art. 2).

12. **Recalling its previous recommendations⁶ and its general recommendation No. 17 (1993) on the establishment of national institutions to facilitate the implementation of the Convention, the Committee recommends that the State Party expedite the adoption, within a clear time frame, of the draft law on establishing an independent national institution for the promotion and protection of human rights, with a mandate to combat racial discrimination, and provide it with adequate human and financial resources to enable it to fulfil its mandate fully and in full compliance with the Paris Principles.**

⁵ Ibid., para. 11.

⁶ Ibid., para. 7.

Hate speech and hate crimes

13. The Committee takes notes of the information provided on the legislative framework to combat hate crimes and hate speech, particularly under article 32 of the Constitution and under article 330 of the Criminal Code which criminalizes incitement to racial, ethnic, national, religious or interregional hostility, and propaganda on the “superiority or inferiority of citizens” on the basis of their attitude to religion or their national or racial affiliation, committed publicly, including in the media or on the Internet. It also notes that racist motives are considered aggravating circumstances pursuant to article 74 of the Criminal Code. Nevertheless, the Committee is concerned about:

(a) The lack of explicit criminalization in the legislative framework of racist hate speech and hate crimes in accordance with article 4 of the Convention and on all the grounds recognized in article 1;

(b) Reports of the inadequacy of the legislative and institutional frameworks to combat hate speech on the Internet and on social media, and about the lack of information on safe reporting channels available to victims, notwithstanding the information provided by the delegation on the provisions of the Law on the Media and the mandate and activities of the State Committee on National Security on combating hate speech;

(c) The lack of information on measures taken to combat the use of racist hate speech by politicians and influential public figures (arts. 1, 4 and 6).

14. Recalling its general recommendations No. 7 (1985) relating to the implementation of article 4 of the Convention, No. 15 (1993) on article 4 of the Convention and No. 35 (2013) on combating racist hate speech, the Committee recommends that the State Party:

(a) Review its legislative framework, particularly the Criminal Code, to explicitly criminalize racist hate speech and hate crimes in accordance with article 4 of the Convention, and include all the grounds of discrimination recognized in article 1 of the Convention;

(b) Develop and implement measures to combat the spread of racist hate speech in the media, on the Internet and on social media, in close cooperation with media outlets, Internet service providers and social media platforms as well as members of groups vulnerable to racist hate speech, particularly members of the Mugat communities and migrants;

(c) Adopt and implement measures to combat the use of racist hate speech by politicians and other public figures, including by developing and enforcing a code of conduct for members of the parliament and politicians that explicitly prohibits the use of hate speech.

Complaints of racial discrimination, hate speech and hate crimes

15. The Committee notes the information provided on the investigation and prosecution of 189 cases between 2019 and 2022 on incitement to racial, ethnic, national, religious or interregional hostility pursuant to article 330 of the Criminal Code. Nevertheless, the Committee is concerned about:

(a) The lack of information on complaints of racial discrimination pursuant to article 189 of the Criminal Code, including regarding investigations, prosecutions, convictions, and sanctions by domestic courts;

(b) The low number of complaints or cases involving hate crimes and hate speech pursuant to article 330 of the Criminal Code, and the lack of disaggregated and detailed information on cases of incitement to racial, ethnic, national, religious or interregional hostility, on prosecutions, and on the convictions and sanctions imposed on the perpetrators of such acts;

(c) The lack of information on the recognition and application by the prosecution and domestic courts of racist motivations as aggravating circumstances pursuant to article 74 of the Criminal Code;

(d) The lack of information on measures adopted to facilitate access by members of ethnic minority groups and non-citizens to remedies and safe reporting channels, including by means of public education campaigns, and on the provision of legal aid, as recommended by the Committee in its previous concluding observations⁷ (arts. 4 and 6).

16. The Committee draws the State Party's attention to its general recommendation No. 31 (2005) on the prevention of racial discrimination in the administration and functioning of the criminal justice system, and recalls that an absence of complaints and legal actions relating to racial discrimination may reveal a lack of suitable legislation, poor awareness of the legal remedies available, a lack of trust in the judicial system, a fear of reprisals or a lack of will on the part of the authorities to prosecute the perpetrators of such acts. It recommends that the State Party:

(a) Assess the effectiveness and availability of remedies for victims of racial discrimination and hate crimes and take measures to ensure the availability and accessibility of safe reporting channels and legal aid for these victims;

(b) Conduct training programmes for police officers, prosecutors and law enforcement officials on the identification and registration of incidents of racial discrimination and hate crimes, and on the situation of groups exposed to racial discrimination, such as members of ethnic minority groups and non-citizens;

(c) Undertake public education campaigns on the rights enshrined in the Convention, on the legal remedies available and on how to file complaints of racial discrimination and hate crimes;

(d) Collect statistics, disaggregated by age, gender, and ethnic and national origin, on complaints of racial discrimination and hate crimes, on investigations and prosecutions undertaken, on convictions handed down and sanctions imposed, and on reparations provided to the victims, and include those statistics in its next periodic report.

Racial profiling

17. The Committee notes the information provided by the delegation on the human rights training provided to law enforcement agencies and on the disciplinary measures taken against law enforcement agents for the excessive use of force. However, the Committee is concerned about:

(a) The lack of information on the explicit prohibition of racial discrimination and racial profiling in the legislative framework on law enforcement;

(b) The lack of detailed information provided on the investigations, prosecutions, convictions and sanctions for acts of racial profiling, racial discrimination and racially motivated police violence.

18. Recalling its previous recommendations⁸ and its general recommendation No. 36 (2020) on preventing and combating racial profiling by law enforcement officials, the Committee urges the State Party to:

(a) Adopt legislation that explicitly prohibits racial profiling by law enforcement agents during police operations;

(b) Establish an independent monitoring body with the competence to receive complaints of racial profiling, racial discrimination and excessive use of force by law enforcement agents, with safe and accessible reporting channels for victims;

(c) Conduct prompt, thorough and impartial investigations into all allegations of racial profiling, racial discrimination and excessive use of force by law enforcement agents, and ensure that the alleged perpetrators are prosecuted and, if

⁷ Ibid., para. 14.

⁸ Ibid., para. 18.

convicted, punished with appropriate sanctions and that the victims or their families are provided with adequate forms of reparation.

Civic space

19. The Committee is concerned about the increase in restrictions imposed on exercising and enjoying the right to freedom of opinion and expression and the right to freedom of peaceful assembly and association under the legislative framework and in practice. In particular, the Committee is concerned about:

(a) The adoption of amendments, on 2 April 2024, to the Law on Non-Commercial Organizations and the adoption on 27 August 2024 of the Regulation on the Procedure for Maintaining the Registry of Non-Commercial Organizations Fulfilling Functions of Foreign Representatives – negatively impacting human rights defenders and civil society organizations, in particular those working on the rights of those exposed to racial discrimination. The Committee is concerned that the recent amendments to the legislative framework allow for the labelling of civil society organizations under broad and vague concepts such as “foreign representatives” and “political activity”, the imposition of undue registration and reporting requirements and the establishment of broad governmental oversight powers over the activities of such organizations, and restrict access to funding;

(b) The overly broad and vague concepts and provisions in the legislative framework that allow for arbitrary interpretations of and disproportionate restrictions on the right to freedom of expression and the right to freedom of association of members of ethnic minority groups, human rights defenders, members of civil society organizations, activists, lawyers and journalists, such as “humiliation of national dignity” in article 330 (incitement to racial, ethnic, national, religious or interregional hostility) and articles 278 (3) (calls for mass disorder), 326 (forcible seizure of power) and 327 (public calls for seizure of power), of the Criminal Code;

(c) The blanket ban imposed on peaceful demonstrations in key sites in Bishkek since 2022, and the expansion of the ban to other cities, including the city of Osh;

(d) Reports that human rights defenders, members of civil society organizations, activists, lawyers and journalists have increasingly become targets of intimidation, surveillance, harassment, threats and reprisals, arbitrary arrest and detention, and violations of their fair trial safeguards, as a consequence of their work.

20. The Committee recommends that the State Party:

(a) **Review its legislative framework, including the Law on Non-Commercial Organizations and its subsequent amendments, to ensure an open and secure space for the operation of civil society organizations and human rights defenders, particularly those working on the rights of those exposed to racial discrimination;**

(b) **Review its Criminal Code, particularly articles 278 (3), 330, 326 and 327, to prevent arbitrary interpretations of and disproportionate restrictions imposed on the right to freedom of opinion and expression and the right to freedom of peaceful assembly and association of members of groups exposed to racial discrimination, human rights defenders, members of civil society organizations and journalists, and to ensure that the legislative framework is not used to intimidate, harass, arrest, detain or prosecute journalists, human rights defenders or representatives of civil society organizations, including those working on the rights of those exposed to racial discrimination;**

(c) **Refrain from imposing blanket bans on peaceful demonstrations and ensure that any limitations placed on the right of peaceful assembly are in full compliance with international standards;**

(d) **Conduct effective, thorough and impartial investigations into all reported cases of intimidation and harassment of, and threats and reprisals against, human rights defenders, journalists, lawyers, activists, and members of civil society organizations;**

(e) **Ensure the rights of human rights defenders, journalists, lawyers, activists and members of civil society organizations to fair trial proceedings, while ensuring the availability of legal assistance and the inadmissibility before court of evidence obtained under duress and torture.**

Accountability for the 2010 ethnic violence

21. The Committee takes note of the information provided during the dialogue that law enforcement agencies launched investigations into more than 5,000 cases related to offences that occurred during and in the aftermath of the June 2010 ethnic violence, and that 342 cases were prosecuted. Nevertheless, the Committee remains concerned about the ineffective and biased investigations into the June 2010 ethnic violence, which lacked fair trial and due process guarantees. It is also concerned that despite most victims belonging to the Uzbek ethnic minority group, the majority of those prosecuted were also Uzbek, and no compensation was provided to Uzbek victims of miscarriages of justice relating to those events. The Committee remains concerned about the reported use of torture and forced confessions by law enforcement agents, particularly against Uzbeks, and the failure to prosecute perpetrators and compensate victims (arts. 2, 5 and 6).

22. **Reiterating its previous recommendations,⁹ the Committee urges the State Party to conduct prompt, thorough and impartial investigations into all allegations of abuses and violations of human rights that occurred during and in the aftermath of the June 2010 ethnic violence, including allegations of torture and ill-treatment by law enforcement agents and violations of fair trial proceedings, and to ensure that the alleged perpetrators are prosecuted and, if convicted, are punished with appropriate sanctions and that the victims or their families are provided with adequate forms of reparation.**

Women belonging to ethnic minority groups

23. The Committee takes note of the information provided by the delegation on measures to protect and empower women belonging to ethnic minority groups, and their participation in public and political life. Nevertheless, the Committee is concerned about:

(a) Multiple and intersecting forms of discrimination on the grounds of ethnic and national origin, race, colour, religion, age and gender, faced by women belonging to ethnic minority groups, which lead to marginalization, perpetuate violence against them, and prevent the enjoyment of their human rights and equal access without discrimination to employment, education, healthcare and justice;

(b) The low level of representation and participation of women belonging to ethnic minority groups in the public sector, elected bodies, and decision-making and high-ranking positions at both the central and the local levels;

(c) Cases of domestic and gender-based violence and cases of suicide among women belonging to ethnic minority groups, particularly those living in rural and remote areas and those living in poverty;

(d) Reports of persistence of the harmful practice of bride kidnapping against women and girls belonging to ethnic minority groups, notwithstanding the information provided by the delegation on the introduction of severe penalties for bride kidnapping (arts. 2 and 5).

24. **Recalling its previous recommendations and its general recommendation No. 25 (2000) on gender-related dimensions of racial discrimination, the Committee urges the State Party:**

(a) **To review its legislative and policy frameworks to eliminate all barriers and restrictions faced by women belonging to ethnic minority groups in order to ensure their equal access to employment, education, healthcare and justice;**

⁹ Ibid., para. 22.

(b) To take effective measures to ensure representation of women belonging to ethnic minority groups in the public sector, elected bodies, and decision-making and high-ranking positions at the central and local levels, including through special measures, and by identifying and removing barriers that they face in this respect;

(c) To incorporate an ethnic minority women perspective into all gender-related policies and strategies;

(d) To take effective measures to prevent and address gender-based violence, including harmful practices, particularly bride kidnapping, and domestic violence, against women and girls, particularly those living in rural and remote areas and those living in poverty, including by conducting awareness-raising campaigns to encourage the reporting of cases of gender-based violence against women;

(e) To adopt measures to increase the availability and accessibility of quality mental health services for women belonging to ethnic minority groups and to provide those who are at risk of suicide with effective prevention programmes and support services;

(f) To implement the relevant recommendations contained in the concluding observations of the Committee on the Elimination of Discrimination against Women adopted in 2021.¹⁰

Lesbian, gay, bisexual, transgender and intersex persons belonging to ethnic minority groups

25. The Committee is concerned by reports that lesbian, gay, bisexual, transgender and intersex persons belonging to ethnic minority groups continue to face multiple and intersecting forms of discrimination, restricting the exercise of their civil, political, economic, social and cultural rights, in particular access to education, healthcare, justice and employment. It is also concerned about reports of the persistence of human rights violations and abuses, including intimidation, extortion, harassment, threats, arbitrary arrest and ill-treatment, perpetuated by civilians and law enforcement officials against lesbian, gay, bisexual, transgender and intersex persons belonging to ethnic minority groups, despite the previous concluding observations by the Committee (arts. 1, 2 and 5).¹¹

26. The Committee recommends that the State Party take all measures necessary to combat intersecting and multiple forms of discrimination faced by lesbian, gay, bisexual, transgender and intersex persons belonging to ethnic minority groups, including by mainstreaming gender, sexual orientation and gender identity into its legislative and policy measures to combat racial discrimination. It also recommends that the State Party conduct effective, thorough and impartial investigations into all reports of abuses and violations of human rights against lesbian, gay, bisexual, transgender and intersex persons belonging to ethnic minority groups, prosecute and punish those responsible with penalties commensurate with the offences and provide victims of discriminatory acts with adequate redress and support.

Mugat ethnic community

27. The Committee is concerned about the lack of detailed information and official statistics about the Mugat ethnic community in the State Party, particularly regarding their social and economic situation. The Committee is concerned about:

(a) The persistent stigmatization, prejudice and social exclusion against the Mugat ethnic community, who are disproportionately affected by poverty;

(b) The low school attendance and high rates of school dropout among Mugat children and the lack of available schools in their villages;

¹⁰ CEDAW/C/KGZ/CO/5, paras. 22, 26, 34, 36, 40 and 42.

¹¹ CERD/C/KGZ/CO/8-10, para. 16.

(c) Reports of barriers faced by members of the Mugat ethnic community in accessing healthcare and medical services, employment and social benefits, owing to the obstacles in obtaining birth certificates and identity documents;

(d) Reports of an insufficient level of support and compensation, including inadequate alternative housing, to members of the Magut ethnic community following the flood in the city of Osh in July 2024 owing to lack of property titles, and that the proposed resettlement plan is to relocate them to an area with no proper infrastructure or basic services (arts. 2 and 5).

28. Recalling its previous recommendations¹² and its general recommendation No. 27 (2000) on discrimination against Roma, the Committee recommends that the State Party:

(a) **Take effective measures, including special measures, to address the extreme poverty, marginalization and structural discrimination faced by the Mugat ethnic community and to ensure their access to education, employment, healthcare and housing;**

(b) **Adopt the necessary measures to ensure that Mugat children have access to quality and inclusive education and ensure the availability of schools in their communities and villages, with a view to increasing school enrolment rates and decreasing school dropout rates, including by conducting awareness-raising campaigns aimed at Mugat children and young people and their families on the importance of education;**

(c) **Strengthen its efforts to ensure that all members of the Mugat community are granted national identity documents;**

(d) **Take measures to ensure that the Mugat families and individuals affected by the flood in the city of Osh in July 2024 are provided with fair and adequate housing and compensation, while ensuring effective consultations with members of the Mugat community, and to grant titles for their properties.**

Ethnic minorities in political and public affairs

29. The Committee takes note of the information provided by the delegation on the representation of ethnic minority groups in the public sector, elected bodies, decision-making and high-ranking positions, the judiciary and law enforcement agencies. Nevertheless, the Committee is concerned about:

(a) The persistent low level of representation of members of ethnic minority groups in the parliament (around 6 per cent of members of the parliament are members of ethnic minority groups), executive bodies (one minister out of 16), the judiciary and law enforcement agencies, including at the local level;

(b) Ethnic minority groups, particularly the Uzbek minority group, remaining significantly underrepresented on local councils located in regions where the Uzbek minority group constitutes the majority of the population, such as Osh City Council;

(c) The lack of implementation of special measures to ensure the equal and fair representation of ethnic minority groups in public and political life (arts. 2 and 5).

30. Recalling its previous recommendations¹³ and its general recommendation No. 32 (2009) on the meaning and scope of special measures, the Committee recommends that the State Party adopt measures to ensure fair and equitable representation of ethnic minority groups, particularly at the local level, in the public sector, in elected bodies and in decision-making and high-ranking positions, including through special measures and by identifying and removing barriers that members of ethnic minority groups face in this respect.

¹² Ibid., para. 24.

¹³ Ibid., para. 26.

Access to education in minority languages

31. The Committee takes note of the information provided that the legislative framework, including the Law on Education and the Law on the State Language of the Kyrgyz Republic, guarantees education in minority languages, while adhering to the principle of multilingual education. Nevertheless, the Committee is concerned about:

(a) The absence of measures to guarantee mother tongue education for students belonging to ethnic minority groups in the State Standard of General Education, adopted by the Cabinet of Ministers in March 2025;

(b) The low number of ethnic minority students studying in their mother tongue at the preschool, school and higher education levels and the decrease in the number of schools providing education in ethnic minority languages;

(c) The insufficient human and financial resources allocated for teaching ethnic minority languages in schools;

(d) Barriers faced by students belonging to ethnic minority groups in accessing higher education and enrolling in public universities, as university admission examinations are only in the Kyrgyz and Russian languages, notwithstanding the importance of ensuring knowledge of the State language among members of ethnic minorities (arts. 2 and 5).

32. Reiterating its previous recommendations,¹⁴ the Committee urges that the State Party:

(a) Assess and review its legislative and policy framework on education and the multilingual education approach to ensure the effective access of students belonging to ethnic minority groups to education in their mother tongue at all levels of education without discrimination and ensure that the multilingual education approach does not impact their access to quality education in their mother tongue;

(b) Allocate sufficient financial and human resources to strengthen mother tongue education for ethnic minority groups;

(c) Consider expanding the university admission examinations in the languages of ethnic minority groups.

Right to health

33. The Committee takes note of the information provided by the delegation about the legislative framework on the right to the enjoyment of the highest attainable standard of physical and mental health and on access to medical care and health services for members of ethnic minority groups, such as the Mugat, refugees and asylum-seekers. However, the Committee is concerned about the lack of information on measures to ensure equal access and an inclusive approach for individuals subjected to intersecting forms of discrimination, such as women, children, older persons, persons with disabilities and lesbian, gay, bisexual, transgender and intersex persons belonging to ethnic minority groups, or for non-citizens, such as asylum-seekers, refugees, migrants or stateless persons. It is also concerned about the lack of measures to mitigate the impacts of climate change on ethnic minority groups and other groups exposed to racial discrimination, while noting that racial discrimination is both a separate health risk and a structural social determinant of health.

34. Recalling its general recommendation No. 37 (2024) on equality and freedom from racial discrimination in the enjoyment of the right to health, the Committee recommends that the State Party adopt measures to ensure equal access to culturally appropriate, gender-sensitive and context-responsive quality health facilities, goods and services for members of ethnic minority groups and other groups exposed to racial discrimination, including non-citizens, while taking into account those exposed to intersecting and multiple forms of discrimination, such as women, children, older persons, persons with disabilities and lesbian, gay, bisexual, transgender and intersex persons and persons living with HIV/AIDS. It also recommends that the State Party

¹⁴ Ibid., para. 28.

adopt measures to ensure the protection of ethnic groups and those exposed to racial discrimination, including those who are particularly vulnerable to the health effects of climate change owing to their geographical location and socioeconomic situation, against climate-induced health hazards.

Refugees and asylum-seekers

35. The Committee takes note of the information provided on the adoption in 2023 of amendments to the Law on Refugees to expand access to healthcare and medical services for refugees and asylum-seekers, similarly as for citizens of Kyrgyzstan. Nevertheless, the Committee is concerned about:

(a) Reports of procedural irregularities under the refugee status determination procedure and of undue delays, a recent increase in rejections of asylum applications since 2019, the lack of recognition of applications submitted by asylum-seekers of specific national origins and the lack of an effective appeal procedure;

(b) Reports of the extradition of individuals in violation of the principle of non-refoulement, and reports that imprecise and vague terminology in article 532 (2) of the Criminal Procedure Code results in arbitrary interpretations allowing the extradition of individuals in need of international protection;

(c) Asylum-seekers having no access to employment while their applications are being considered, and about the lack of provision of support schemes and accommodation;

(d) The lack of recognition under the legislative framework of “mandate refugees” who reside in the State Party without access to healthcare, education, housing and employment.

36. Recalling its general recommendation No. 30 (2004) on discrimination against non-citizens, the Committee recommends that the State Party:

(a) **Review its legislative framework, including the Law on Refugees and the Criminal Procedure Law, to align it with international standards, particularly with the principle of non-refoulement, and to ensure that the refugee status determination procedure is fair and effective and in full compliance with international standards, with the aim of addressing procedural irregularities faced by asylum-seekers, and ensuring effective judicial appeals procedures;**

(b) **Refrain from extradition that is in violation of the principle of non-refoulement, and conduct investigations into cases of extradition by law enforcement officials against refugees and asylum-seekers;**

(c) **Take effective measures to ensure access to and enjoyment by “mandate refugees” and asylum-seekers of their rights without discrimination, particularly with respect to housing, healthcare services, employment and education.**

Stateless persons

37. The Committee welcomes the measures taken in 2019 to identify and resolve the identified stateless cases, the adoption of an amendment to the Law on Civil Acts to guarantee the birth registration of every child born on the State Party’s territory, and the establishment in 2025 of a procedure for determining statelessness. However, the Committee is concerned about:

(a) The lack of a data collection system and statistics on stateless persons and their socioeconomic situation;

(b) The draft law that amends provisions of the Law on Citizenship, approved by the parliament and pending the signature of the President, that allows for the arbitrary revocation of citizenship under vague concepts, including for individuals who acquired citizenship through naturalization and engage in activities that pose a threat to national security or engage in military activities, and restricts the granting of citizenship only to children born in the State Party’s territory to non-citizen parents of Kyrgyz ethnic origin;

(c) Obstacles in the birth registration of children born to asylum-seekers, undocumented migrants and stateless parents, including members of the Mugat ethnic minority group, owing to complex documentation requirements pursuant to article 13 of the Law on Civil Acts, and reports that parents avoid birth registration in order to evade penalties, which also leads to discrimination in accessing education and healthcare (art. 5).

38. **The Committee recommends that the State Party:**

(a) **Develop a data collection system on statelessness to ensure the collection and publication of statistics concerning stateless persons and their economic and social situation;**

(b) **Refrain from adopting the draft law to amend provisions of the Law on Citizenship, which is pending the signature of the President, and review it to ensure that it is in line with international standards and to avoid statelessness of children born in the territory of the State Party and arbitrary deprivation of citizenship;**

(c) **Take effective measures to address the administrative shortcomings of the civil registry system and the complex procedures and requirements for birth registration of children born to asylum-seekers, undocumented migrants and stateless parents;**

(d) **Ratify the Convention relating to the 1954 Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.**

Migrant workers

39. The Committee takes note of the information provided that the State Party endorsed, in August 2024, the Global Compact for Safe, Orderly and Regular Migration. Nevertheless, the Committee is concerned about reports that migrant workers face harsh working conditions, abuse and exploitation. It is also concerned about the barriers faced by migrant workers, particularly undocumented migrants, in accessing justice and remedies (art. 5).

40. **The Committee recommends that the State Party take measures to combat abuse and exploitation of migrant workers, including by assessing and reviewing the employment framework on migrant workers to reduce their vulnerability to exploitation and abuse. It also recommends that the State Party adopt measures to ensure the access of migrant workers to justice, irrespective of their status, including free legal aid, and that it conduct awareness-raising campaigns among migrant workers on their rights and on existing remedies.**

Violent attacks against non-citizens

41. The Committee is deeply concerned about reports of an increase in hate speech and violent attacks by civilians against migrants in May 2024, leading to abuses and violations of their right to life and physical integrity and their right to the highest attainable standard of health. The Committee notes the information provided by the delegation on measures taken to address the situation, including the adoption of amendments to the Criminal Code in December 2024 to introduce harsher penalties for criminal offences against non-citizens. Nevertheless, the Committee is concerned about the lack of information on investigations into those violations and abuses, as well as the lack of opportunities for victims to seek redress and to receive support (arts. 1, 2, 4 and 6).

42. **The Committee recommends that the State Party conduct effective, thorough and impartial investigations into all reports of abuses and violations of human rights perpetrated against migrants, and appropriately prosecute and punish those convicted with penalties commensurate with the offences. It also recommends that the State Party provide victims of discriminatory acts and hate crimes with adequate redress and support. The Committee recommends that the State Party take effective measures to combat and monitor hate speech, incitement to and promotion of racial hatred and discrimination against migrants, including on the Internet and social media, and ensure that such incidents are effectively, thoroughly and impartially investigated and, where appropriate, prosecuted and punished with penalties commensurate with the offences.**

Training, education and other measures to combat prejudice and intolerance

43. The Committee takes note of the information provided on policy measures taken to promote tolerance and diversity, including the Concept for the Development of the Civic Identity of the Kyrgyz Zharany and the National Development Strategy for the period 2018–2040. It also notes the information provided on human rights training targeting law enforcement agents and members of the judiciary. Nevertheless, the Committee is concerned about the lack of human rights education in school curricula and university programmes and the lack of awareness-raising campaigns targeting the general public, law enforcement officials and judicial authorities on the importance of non-discrimination, cultural diversity and tolerance (art. 7).

44. **The Committee recommends that the State Party increase its efforts to raise public awareness of the importance of ethnic and cultural diversity and of combating racial discrimination, in particular for law enforcement officials and judicial authorities, and integrate these concepts into all levels of education in order to promote substantive inter-ethnic solidarity.**

D. Other recommendations

Ratification of other treaties

45. Bearing in mind the indivisibility of all human rights, the Committee encourages the State Party to consider ratifying those international human rights treaties that it has not yet ratified, in particular treaties with provisions that have direct relevance to communities that may be subjected to racial discrimination, including the International Convention for the Protection of All Persons from Enforced Disappearance.

Amendment to article 8 of the Convention

46. The Committee recommends that the State Party accept the amendment to article 8 (6) of the Convention adopted on 15 January 1992 at the fourteenth meeting of States parties to the Convention and endorsed by the General Assembly in its resolution 47/111.

Declaration under article 14 of the Convention

47. The Committee encourages the State Party to make the optional declaration provided for in article 14 of the Convention recognizing the competence of the Committee to receive and consider individual communications.

Follow-up to the Durban Declaration and Programme of Action

48. In the light of its general recommendation No. 33 (2009) on follow-up to the Durban Review Conference, the Committee recommends that, when implementing the Convention in its domestic legal order, the State Party give effect to the Durban Declaration and Programme of Action, adopted in September 2001 by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, taking into account the outcome document of the Durban Review Conference, held in Geneva in April 2009. The Committee requests that the State Party include in its next periodic report specific information on action plans and other measures taken to implement the Durban Declaration and Programme of Action at the national level.

International Decade for People of African Descent

49. In its resolution 79/193, the General Assembly proclaimed 2025–2034 the Second International Decade for People of African Descent. Also in that resolution, the Assembly decided to extend the programme of activities for the implementation of the International Decade for People of African Descent adopted in resolution 69/16, with a view to ensuring continuing efforts in promoting the respect, protection and fulfilment of all human rights and fundamental freedoms of people of African descent.

In the light of this development, the Committee recommends that the State Party implement the programme of activities in collaboration with people of African descent and include in its next periodic report information on the measures adopted in that framework, taking into account the Committee's general recommendation No. 34 (2011) on racial discrimination against people of African descent.

Consultations with civil society

50. The Committee recommends that the State Party continue consulting and increasing its dialogue with civil society organizations working in the area of human rights protection, in particular those working to combat racial discrimination, in connection with the preparation of the next periodic report and in follow-up to the present concluding observations.

Dissemination of information

51. The Committee recommends that the State Party's reports be made readily available and accessible to the public at the time of their submission and that the concluding observations of the Committee with respect to those reports be similarly made available to all government bodies entrusted with the implementation of the Convention, including local bodies, in the official and other commonly used languages, as appropriate.

Common core document

52. The Committee encourages the State Party to update its common core document, which dates to December 2008, in accordance with the harmonized guidelines on reporting under the international human rights treaties, in particular those on the common core document, as adopted at the fifth inter-committee meeting of the human rights treaty bodies, held in June 2006.¹⁵ In the light of General Assembly resolution 68/268, the Committee urges the State Party to observe the limit of 42,400 words for such documents.

Follow-up to concluding observations

53. In accordance with article 9 (1) of the Convention and rule 65 of its rules of procedure, the Committee requests the State Party to provide, within one year of the adoption of the present concluding observations, information on its implementation of the recommendations contained in paragraphs 16 (b) (complaints of racial discrimination, hate speech and hate crimes), 28 (c) and (d) (the Mugat ethnic community) and 38 (b) (stateless persons) above.

Paragraphs of particular importance

54. The Committee wishes to draw the attention of the State Party to the particular importance of the recommendations contained in paragraphs 12 (national human rights institution), 28 (a) and (b) (the Mugat ethnic community), 38 (d) (stateless persons) and 42 (violent attacks against non-citizens) above and requests the State Party to provide detailed information in its next periodic report on the concrete measures taken to implement those recommendations.

Preparation of the next periodic report

55. The Committee recommends that the State Party submit its combined thirteenth to fifteenth periodic reports, as a single document, by 5 October 2029, taking into account the reporting guidelines adopted by the Committee during its seventy-first session¹⁶ and addressing all the points raised in the present concluding observations. In the light of General Assembly resolution 68/268, the Committee urges the State Party to observe the limit of 21,200 words for periodic reports.

¹⁵ [HRI/GEN/2/Rev.6](#), chap. I.

¹⁶ [CERD/C/2007/1](#).