

HUMAN RIGHTS COUNCIL UNIVERSAL PERIODIC REVIEW WORKING GROUP REVIEW OF KYRGYZ REPUBLIC

SUBMISSION FROM: PA “HUMAN RIGHTS MOVEMENT: BIR DUINO KYRGYZSTAN”, “THE CENTER OF PUBLIC OPINION STUDY “EL-PIKIR”

CONTENT

I. Right to information on performance of government agencies, local self-government and their officials.....	1
II. Right to freely seek, receive, keep and use information and disseminate it	2
III. Right to freedom of assembly	3
IV. Freedom of thought and opinion.....	3
V. Rights of women and gender equality.....	4
VI. rights of the child.....	5
VII. Situation with the rights of migrant workers	7
VIII. rights of convicts sentenced for life imprisonment.....	8

I. RIGHT TO INFORMATION ON PERFORMANCE OF GOVERNMENT AGENCIES, LOCAL SELF-GOVERNMENTS AND THEIR OFFICIALS

- (1) The government agencies in the person of their representatives are impeding the citizens to access the socially significant information following the outdated legal regulations, there is no mechanism to ensure real access of citizens to information.
- (2) The information on spending of the budget funds by the Deputies of Jogorku Kenesh (MPs) of the Kyrgyz Republic including the data on the deputies' payroll, spending of the Fund of the Speaker as well as parliamentary factions is inaccessible to the public.
- (3) The courts on information request cases denied the citizens in meeting their requirements, neglect the legal effect of "socially significant information," and neglect the issue of expediency of classifying the information. The Supreme Court of Kyrgyzstan in February 2013 upon the fact of the application of the civil society to the court with the request of information on wages of Members of Parliament, has reversed the decision of two lower courts and decided not to disclose information on wages of Members of Parliament though many MPs of the country agreed with inexpediency of classifying such information from their constituencies.
- (4) The access of citizens to parliamentary information is limited - the full and free access to files, transcripts, orders, decisions of the Parliament is not ensured; not all the meetings are broadcasted in the open air; the free entrance to the building of Jogorku Kenesh (JK) for citizens to attend the meetings is not provided; the access to consolidated socio-demographic data on Members of Parliament (gender, age, education, profession, ethnicity, seniority) is not ensured.
- (5) The information on sources of financing the political parties is not available to constituencies. The effective regulation on funding of political parties does not contain requirements for transparency of parties' budgets, the law is not binding the parties to submit reports on revenues, expenses, property, as well as annually publish such data in the national media.

Recommendations:

- 1.1. The Government of KR should revise the outdated procedure of classifying information in line with the public concerns and ensure access of citizens to financial information, reports, special reports and other socially significant information.
- 1.2. To ensure openness and transparency of budget funds spending by Members and the Office of the Jogorku Kenesh, to publish the data on salaries of MPs’.
- 1.3. To develop the system of interventions aimed at increasing access of citizens to the parliamentary information - to publish at the site of the Parliament the consolidated data disaggregated by sex, age, education, ethnicities and previous occupation of MPs’; to publish the consolidated data on the number of absences of deputies and factions from their duties.
- 1.4. To elaborate the draft law on political parties with the public involvement and conduct the public hearings owing to critical importance of the draft law. To provide for measures to ensure transparency of forming the party funds and accessibility of this information to constituencies.
- 1.5. To provide for the system to ensure access of citizens to information on electoral funds of parties in the electoral legislation.

II. RIGHT TO FREELY SEEK, RECEIVE, KEEP AND USE INFORMATION AND DISSEMINATE IT

- (6) The right of each person to freely seek, receive, keep and use the information enforced in the Part 1 of the Article 33 of the Constitution of the Kyrgyz Republic and in the Part 2 of the Article 19 of the International Covenant on Civil and Political Rights are universally violated in the Kyrgyz Republic. In particular, this right is often violated in the context of the fight of authorities against religious extremism. Most of the victims criminally persecuted for religious extremism are brought to trial primarily according to the Article 299-2 of the Criminal Code of the Kyrgyz Republic, i.e. for the receiving, keeping and transportation of extremist information.
- (7) According to Article 13 of the Law "On Countering Extremist Activities" the extremist materials shall be recognized as such in court, followed by presenting the recognized extremist materials to judicial authorities liable to maintain a list of prohibited materials and to alert the public on them. In practice, the Ministry of Justice of the Kyrgyz Republic is not maintaining such a list; the public is not alerted on the list of prohibited materials.
- (8) The persons arraigned on a criminal charge for dissemination of extremist literature are convicted based on the conclusions of inspectors of the State Commission on Religious Affairs under the President of the Kyrgyz Republic. The conclusions of SCRA on recognition of the literature as extremist lack the description of the examination procedure, the conclusions are drawn following the provisions based on which it is impossible to verify the scientific character of findings, the information on appropriate education background of officials that draw the conclusions is not specified that contradicts the requirements of the Article 8 of the Law of the Kyrgyz Republic "On forensic activity."
- (9) During 2013-2014 more than 20 persons have applied to BDK which were arraigned on a criminal charge for dissemination of extremist literature based on such conclusions. They include: Khairullo Rahimov, Ulugbek Ruziev, Mukhamadayubkhan Mashrapov, Zukhra Ismanova, Farhadjan Yuldashev, Khusanbay Suerkulov, Bukhalima Suerkulova, Chinar Matkabylova, Tohirjon Mirzaboev, Aigerim Moldobaeva, Ibrohim Madraimov, and others.

Recommendations:

- 2.1. To disgrace the implementation of the Law of KR «On countering the extremist activities” by the Ministry of Justice of KR in terms of maintaining the list of banned literature and informing the citizens on prohibited literature.
- 2.2. To legally enforce the procedure of conducting the expert examination of literature for signs of extremism and define the requirements to the education and competence of persons carrying out such examination.

III. RIGHT TO FREEDOM OF ASSEMBLY

- (10) The non-governmental organizations are restricted by anticonstitutional legislation, rigid administrative and tax requirements, they are tagged by offensive labels.
- (11) The Government of Kyrgyzstan initiated the draft laws contradicting the Constitution of KR, international treaties and conventions related to freedom of assembly.
- (12) On 19 May, 2014 the draft law of the Kyrgyz Republic «On making amendments and supplements to the Law of the Kyrgyz Republic «On non-for-profit organizations» was posted on the site of the Jogorku Kenesh of the Kyrgyz Republic.
- (13) Currently the Jogorku Kenesh of KR has elaborated the draft law aimed against NGOs operating in the area of LGBT. The draft law bans support or facilitating the development of such groups and associations under the guise of protecting the traditional values.

Recommendations:

- 3.1. The Government of KR should ensure that the legislation governing the right to freedom of assembly complies with the requirements of international law. To put an end to excessive control and unlawful interference in the activities. Therefore, the authorities need to seek consultations with the ODIHR and other international and national human rights experts, both in terms of draft laws and applicable legislation, and thereby annul/revise the disputable provisions in accordance with the provided recommendations.
- 3.2. The Government of KR should withdraw the draft laws «On making amendments and supplements to the Law of the Kyrgyz Republic «On non-for-profit organizations» and on LGBT, to discontinue the practice of pressure on non-governmental organizations and ensure the constitutional right of citizens for freedom of assembly.

IV. FREEDOM OF THOUGHT AND OPINION

- (14) Recently the NGOs dealing with human rights issues are encountering the cases of intimidation and pressure for their thoughts, opinions and activities.
- (15) The staff members of human rights advocating organizations have been exposed to attacks, beating, threats and harassments, and their offices are being robbed and looted. Furthermore, the law enforcement agencies do not make sufficient efforts to quest and punish the perpetrators.
- (16) Azimjan Askarov, the prominent human rights advocate, who was conducting the monitoring of the June conflicts in the village of Bazar-Korgon on June 15, 2010 was illegally detained, placed at the local temporary detention center and was exposed to repeated torture. His defense lawyers were beaten, Askarov was denied the access to independent justice, sentenced to life imprisonment and serving his sentence for almost four years.
- (17) The hosts of the International Festival of documentaries have been persecuted by the authorities of KR in September 2011 demanding the removal of the film about Rabiya Kadyr, the Uighur human rights advocate, "10 conditions of love".
- (18) The General Prosecutor's Office has filed a lawsuit in September 2012 following the statement of the Mufti of KR to the Pervomay Court to ban the documentary "I'm a Gay, I'm Muslim" according to the Article 299 of the Criminal Code of KR, the Director of the festival received a warning from the National Security Committee of KR and the 10th Department of the Ministry of Interior of KR that in case of showing the film she will be punished for the extremism through imprisonment.
- (19) In September 2013 during the demonstration of the documentary within the festival on Azimjan Askarov, all participants and hosts sustained attacks on the part of the youth groups-patriots which insisted on withdrawing the film from demonstration.
- (20) The offices of the human rights defending movement "Bir Duino Kyrgyzstan" and the Family Recovery Center "Alternative" in 2013 were hacked and robbed; the laptops with the

information on human rights defenders were stolen including the documents on criminal cases, whereby these organizations provided legal support.

- (21) Ilya Lukash, the civil activist, who took an active part in the actions on defending human rights, on supporting the LGBT rights, against brides' stealing/kidnapping and against accession of Kyrgyzstan to the Customs Union was exposed to harassment and persecution. He was beaten up by unknown people in December 2013. Following his participation in the action on expressing solidarity with Ukraine, the members of the political movement "Kalys" in February 2014 near the building of the US Embassy performed the action of burning the portrait of Ilya Lukashev whereby the threats of personal reprisal were expressed. Currently the civil activist was forced to leave Kyrgyzstan.

Recommendations:

- 4.1. The Government of KR should put an end to the practice of intimidation and persecution of individuals and groups dealing with human rights related issues.
- 4.2. To make sure that human rights defending organizations, activists and defense lawyers to be able to perform their work in the environment free of impediments and fears.
- 4.3. To develop interventions that ensure safety and freedom of expressing thoughts and opinions of human rights defenders and civil activists on issues and events taking place in Kyrgyzstan and worldwide.
- 4.4. To release all human rights advocates incarcerated for their activities.

V. RIGHTS OF WOMEN AND GENDER EQUALITY

- (22) The discrepancies in the electoral law derogate from the rights of women, youth, ethnic minorities and persons with disabilities to be elected to the parliament of the country. The law doesn't envisage that in case of early decommissioning of the deputy, his/her mandate is transferred to the next succeeding candidate in the same list while maintaining gender, youth and ethnic quotas and quotas for persons with disabilities.
- (23) Despite the obligatoriness to include not less than 30% of the same gender individuals in the party lists there are only 20,8 % of women represented in the current Parliament by the end of 2011.
- (24) The Law "On state safeguards of equal rights and equal opportunities for men and women" is not fully implemented or observed at the local level. The system of representation quotas of both sexes in public administration and local self-governments provided by this law is not in place (not more than seventy percent of the personnel, including the decision-making level for representatives of same sex).
- (25) Currently there is no woman in the post of the authorized representative of the president in the oblasts of the country, akim of the rayons in Issyk-Kul, Naryn oblasts and so on. There are no women in the posts of heads of local self-governments. There is a trend of diminishing number of women-deputies in the parliament and at the local level.
- (26) The lack of women deputies or their insufficient representation in local councils is leading to non-development and non-implementation of programs aimed at improving the social and living standards; the rate of corruption in local self-governments is on the rise.
- (27) The political parties are using the women during the electoral process in the capacity of protesting resources and don't pay due attention to attracting women-leaders, deputies of local councils as members of political parties.
- (28) Insufficient number of women in political parties and the barriers inhibiting their election as deputies are adversely affecting the development and economic growth of the country.
- (29) There is the growing incidence of early motherhood in Kyrgyzstan (from 4,4 child per 1000 of parturient of 15-17 years of age in 2006 up to 7,2 in 2011), which is adversely affecting the reproductive health of minors as well as restricting the rights of girls for education and development.

- (30) The early motherhood in the country is associated with rising number of marriages involving minors, the lack of awareness of young people on reproductive health and family planning, as well as growing sexual crimes against minors. However, apart from the age threshold for marriage and responsibility for coerced marriage, there are no government programs to prevent the marriages with minors in the country.
- (31) The early marriages are often concluded through agreements of parents and the bride kidnapping. Furthermore, the existing mechanism of bringing the perpetrators of forced marriages to trial doesn't work - the vast majority of persons involved in committing this kind of crime are left unpunished.
- (32) There is no legal responsibility with regard to religious ministers, consecrating/blessing the marriage with underage girls, thereby acting as accomplices of crime violating their rights. This greatly contributes to the spread of the practice of early marriages and poses the religious ministers above the law.
- (33) The problem of gender violence in the Kyrgyz Republic keeps causing a serious concern. Around 95 % of domestic violence cases were issued the temporary protection orders by law enforcement agencies were with regard to women. The cases of raping make 12 % of all crimes against persons.
- (34) The interethnic conflict of 2010 was entailed by cases of sexual violence against women. The government authorities were unprepared to respond adequately to victims and provide the full set of necessary care and aid. There is no procedure of prevention or care to victims of gender violence during emergencies. The victims of sexual violence are not disaggregated in the lists of deceased, wounded and affected in emergencies.
- (35) There are no government crisis centers for women affected by gender violence.
- (36) The level of awareness of the public and rural women on gender equality related issues remains to be not so high.

Recommendations:

- 5.1. To make amendments in the Law on Elections to the Jogorku Kenesh and local councils accommodating for gender, youth and ethnic quotas in the final election list of parties as well as in case of decommissioned deputies.
- 5.2. To ensure implementation of the Law «On state safeguards of equal rights and equal opportunities for men and women». To mandatorily appoint women as heads of akims/deputy akims of rayons as well as heads/deputy heads of local self-governments.
- 5.3. In the electoral lists of parties the women should be represented equally with men and occupy every second post.
- 5.4. To develop and implement the programs aimed at increasing the leadership skills of rural women.
- 5.5. To make amendments in the legislation of the Kyrgyz Republic on banning the marriage religious rituals without legal registration of marriage and provide for a legal responsibility of clergymen that violate this ban.
- 5.6. To refine the legislation with regard to heightened responsibility of parents coercing their underage children to enter the conjugal relations.
- 5.7. To develop and implement in the curriculum the special course including the issues of family and reproductive rights accounting for ethical features of the national mentality.
- 5.8. To open one state crisis centers in each rayon for victims of gender based violence.
- 5.9. To develop and implement the system of public prevention and response to gender based violence in emergencies. To keep records of deceased, wounded and affected by gender based violence in the period of emergencies.
- 5.10. To raise the awareness of rural population in terms of gender related issues.

VI. RIGHTS OF THE CHILD

- (37) Since 2005 there is the discerning trend of significant growth (by 2, 6 times) of crimes against underage children, including – homicides, sexual offences, inflicting gross damage to health, child abduction.
- (38) The law enforcement and judicial systems do not ensure the implementation of the rights of child-victims in terms of protection against criminal offences of adults.
- (39) The access of minors affected by violence on the part of their lawful representatives (parents, caretakers/guardians) to the effective public system of protection against domestic violence is restricted at the legislative level. At the same time the substantial part of children (72%) are exposed to different types of violence on the part of their parents.
- (40) The criminal-procedure legislation of the Kyrgyz Republic does not account for the standards of the Convention on the Rights of the Child and Beijing Rules whereby the detention, arrest of underage and custodial placement are used as the last resort only and for as short as possible period of time. The CPC of KR does not provide for any special arrangements with regard to arrest and custodial placement of minors.
- (41) The child victims and witnesses are not ensured the mandatory participation of a representative of the authorized body for protection of the rights of children. The issue of presence of a teacher during the interrogation of a minor victim or witness is at the discretion of the investigator. There are no special restrictions for child victims and witnesses in terms of the duration of interrogation and special arrangements to ensure their protection.
- (42) The penal legislation of the Kyrgyz Republic aims at correcting delinquent juvenile and does make the penal system provide tutorship, protection, education, vocational training and assistance to delinquent juveniles in correctional facilities for implementation of social and productive roles in the society as required by international law. The fundamental forms and methods of educational work with juvenile convicts don't provide for special arrangements to conduct educational activities with minors in juvenile correctional facilities which contradict the international standards for treatment of convicted juveniles.
- (43) As of yet there is a practice of placing the convicted juveniles in a disciplinary cell which is a violation of international standards. The issue of using such measures is not regulated properly thereby creating a wide scope for its unreasonable or disproportionate use.
- (44) In relation to convicted juvenile the rights to appeal against the acts of the administration of correctional facilities are not duly specified whereas the existing grievance mechanism does not provide for any special measures for minors who owing to their age are not fully capable to exercise their rights effectively.
- (45) The internal regulations of correctional institutions of the penal system of the Kyrgyz Republic contain outdated restrictions of the rights of minors contradicting international standards. They include among others the prohibitions to post on walls of their cells without authorization of the administration the photos, reproductions, postcards, clippings from newspapers and magazines, as well as prohibitions for convicted juveniles to have colored pencils and paints.
- (46) The right of convicted juvenile to choose freely their religious beliefs, to be an atheist, participate or not to participate in religious sermons is violated. The construction of a mosque on the territory of the Juvenile Correctional Facility (JCF) # 14 and the organization of collective praying contradicts the international standards, there are no qualification requirements for clergy and religious services in terms of content in place in the JCF.
- (47) The underage girls serving sentences at the Correctional Facility №2 in practice can't implement their right to education and vocational training.
- (48) The national legislation lacks the norms and standards to ensure equitable representation of women and national minorities in the judicial bodies on minors' affairs that are enforced in Beijing Rules¹.

¹The United Nations Minimum Standard Rules for the Administration of Juvenile Justice ("Beijing Rules"). Adopted by the Resolution 40/33 of the General Assembly of the United Nations as of December 10, 1985.

Recommendations:

To make amendments to the Law "On social and legal protection against domestic violence" in terms of ensuring access of minors exposed to violence on the part of their legal representatives to the public system of protection against domestic violence.

- 6.1. To provide for specific measures in the criminal procedure legislation of the Kyrgyz Republic with regard to arrest and custodial placement of minors. To legally enforce the possibility of termination of a criminal case by investigator and /or prosecutor against the juvenile defendants who committed minor offence or misdemeanor.
- 6.2. To provide for participation of the representative of the authorized body on protection of the rights of children and the pedagogue in interrogating the affected juvenile and the witness and regulate the duration of interrogation of affected minors and witnesses.
- 6.3. To enforce in the CPC of KR the standard on mandatory participation of defense lawyer and the possibility of participation of the public defendant in administration of the criminal case against the delinquent juvenile.
- 6.4. To supplement the Penal Code with the standard that the main purpose of educational activities for convicted juvenile is not their correction per se but first of all creating conditions for socialization and re-socialization of juvenile that are serving their sentences.
- 6.5. To legally restrict the possibility of administering punishment with regard to minors in the form of placement in the disciplinary cell for a certain number a year.
- 6.6. To enforce the standard in PC that provides for provision of free legal aid to minors serving sentence through imprisonment.
- 6.7. To develop and implement at all custodial institutions (including places of pre-trial detention, correctional and special educational institutions) effective and accessible for minors' mechanism that is independent of the administration of the institution and enables them to file complaints and protect children from reprisals in case of filing.
- 6.8. To legally enforce the provision of an extract from the code of conduct of the facility to every juvenile after being placed in a correctional facility with a written description of rights and obligations in a comprehensible language, as well as addresses of the authorities competent to receive complaints and to provide legal assistance. To ensure the mandatory posting of stands in Juvenile Correctional Institutions with information on options for filing complaints to the court against the administration of the JCF, the prosecutor, State Penal Service, the Ombudsman's Office and other bodies with samples of appeals and complaints.
- 6.9. To remove such restrictions with regard to convicted minors as the prohibition to post pictures, reproductions, postcards, clippings from newspapers and magazines on the walls of their cells as well as remove the prohibition on purchasing, receiving in parcels of colored pencils and paints.
- 6.10. To enforce provisions that safeguards the implementation of the right to education and vocational training for minor girls serving a sentence in a prison.
- 6.11. To ensure fair representation of women and ethnic minorities in the bodies of juvenile justice at the legislative level.
- 6.12. To review the representation of women and ethnic minorities in the juvenile justice bodies followed up by development of a set of measures aimed at their fair representation.

VII. SITUATION WITH THE RIGHTS OF MIGRANTS WORKERS

- (49) The total size of population in the Kyrgyz Republic qualified as labour migrants in Russian Federation and Republic of Kazakhstan makes around 640 thousand people².

² The total size of citizens of KR in RF as of 20 February 2013 according to FMS of RF has made 539 thousand people. According to the Ministry of Interior of the Republic of Kazakhstan for 2012 103 001 citizens of the Kyrgyz Republic were temporarily registered in the migration service of the Republic of Kazakhstan.

- (50) The major concern of migrant workers is the unregulated status of residence. Most migrant workers from Kyrgyzstan have no official employment permit, hereupon they lack health insurance, do not make tax and social contributions.
- (51) The most prevalent violation of the rights of migrant workers is the work without the employment contract, and thereupon: non-payment of salaries; non-payment of overtime; unreasonable dismissals, illegal withdrawal of IDs; non-compliance with health and safety standards.
- (52) There are cases of using the labor of children of migrant workers, in particular, in agriculture. There are frequent cases of using the children of migrant workers as the collateral with the employer.
- (53) The access of migrant workers with unregulated status and members of their families to health and education services is restricted.
- (54) The female migrant are subject for heightened risk of gender violence at the same time they lack the opportunity to timely access the qualified legal aid and lack awareness on Russian and Kazakh crisis centers whereby they can access various types of care.
- (55) The issue of pension's entitlement of migrant workers is not regulated; the majority of them don't have access to the system of retirement insurance. This can grow into quite a grave social concern for Kyrgyzstan in the nearest ten years.
- (56) There are cases when the citizens of Kyrgyzstan on the territory of receiving countries also can be exposed to labor, sexual exploitation and slavery.

Recommendations:

- 7.1. The receiving countries shall ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, to enforce these international norms and standards in their national legislation.
- 7.2. To implement the system of pre-departure training of migrant workers in the Kyrgyz Republic including consultations on issues related to legislation in receiving countries, employment, retirement benefits, health insurance, health care.
- 7.3. To develop the legislative arrangements on entitlements to pension benefits and health insurance of migrant workers.

VIII. THE RIGHTS OF CONVICTS SENTENCED FOR LIFE IMPRISONMENT

- (57) In November 2013 the number of persons sentenced to life imprisonment (LI) has made 280 people, whereas in 2007 they made 139 persons, i.e. during 7 years the number of convicts sentenced to LI has doubled. Hitherto there is no specialized institutions for persons sentenced to LI, whereby they are kept in basements of remand prisons/pre-trial investigation centers and local areas on the territory of correctional institutions.
- (58) The mortality rate among persons sentenced to LI in 2013 has made 3 persons, in 2012 - 4 persons.
- (59) The most prevalent diseases among the persons sentenced for LI include the diseases of gastro enteric tract and respiratory organs.
- (60) There is the responsible person (feldschers) in the medical unit of the LI unit in the high security facility; however, there is no person responsible for LI unit in the Central Office of State Penal Service, therefore, the incidence is not reviewed to follow up the growth/reduction of diseases for further prevention.
- (61) The estimates approved by the Ministry of Finance of the Kyrgyz Republic for 2013 to the State Penal Service on the item # 2217 "purchase of medicines and medical items" make the amount of 6.8 million KGS, which makes only 6% of the annual requirements, and on the item # 3112 "machines and equipment" the amount makes 1.2 million KGS, which makes only 1.5% of the annual requirement. As a result, the drugs to prisoners are supplied mainly due to the support of international organizations and prisoners' relatives.

- (62) The issues of safe custody of prisoners within the penal system are left unaddressed, the level of budget allocations for prison system operation remains inadequate, there are no qualified medical personnel or psychologists, the social security of prison officers is inadequate.
- (63) The custodial conditions of persons sentenced to life imprisonment do not meet the UN Standard Minimum Rules for the Treatment of Prisoners, the Basic Principles for the Treatment of Prisoners and other international commitments of the Kyrgyz Republic. The prisoners lack adequate access to basic resources (decent custodial conditions, adequate nutrition, health care, living space, sanitation, social rehabilitative programs, etc.), to fair justice, skilled legal assistance and defense lawyers, information and communication with the outside world. There are no conditions for security of both personnel and prisoners as well as for persons visiting these institutions.

Recommendations:

- 8.1. To make amendments in the legislation to regulate the operation of the penitentiary and penal systems.
- 8.2. To consider the issue of attaching the Medical Unit of State Penal Service to the Ministry of Health of KR.
- 8.3. To bring the custodial conditions of persons sentenced to life imprisonment in accordance with the Standard Minimum Rules for the Treatment of Prisoners. To allocate funds from the budget to ensure the provision of adequate health care to prisoners, improve the quality of food and ensure proper custodial conditions; to arrange the penal execution system to make sure it aims at correction and creating enabling conditions both for work and recreation activities of prisoners. To consider the issue of providing one skilled health professional with the psychiatry background to every penitentiary facility.
- 8.4. To make amendments in the legal regulations enforcing the possibility of reducing the term of sentence for the release on parole of prisoners sentenced for life imprisonment from 30 down to 20 years;
- 8.5. To improve the procedure of free pardon including the legal extension of the list of persons (defense lawyers, next of kin, public associations) entitled to appeal to the President of the Kyrgyz Republic to pardon the persons sentenced to LI, to make the President of the Kyrgyz Republic incumbent with legislative powers to grant pardons to persons sentenced to LI not only based on their complaints, but also on the initiative of the President including larger group of persons sentenced to LI (universal pardon).
- 8.6. To legally extend the judicial control of execution of punishment in the form of life imprisonment and observing the lawful rights of prisoners;
- 8.7. To develop the effective mechanism of responding to applications of the defense party or convicts on using unlawful methods of inquiry and investigation including the use of tortures;
- 8.8. To revise the practice of eligibility of using the evidences obtained in the result of tortures.
- 8.9. To bring the standards of the Penal Code of the Kyrgyz Republic in accordance with the Standard Minimum Rules for the Treatment of Prisoners and other international standards.
- 8.10. To develop for the State Penal Service staff members the special course on dealing with prisoners sentenced to LI, to conduct the training for the personnel of prisons.