

COMMITTEE ON THE
RIGHTS OF THE CHILD

SUMMARY OF THE WRITTEN REPLIES BY THE GOVERNMENT
OF KYRGYZSTAN CONCERNING THE LIST OF ISSUES
(CRC/C/Q/KYR/1) RECEIVED BY THE COMMITTEE ON THE
RIGHTS OF THE CHILD RELATING TO THE CONSIDERATION
OF THE INITIAL REPORT OF KYRGYZSTAN (CRC/C/41/Add.6)

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IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS
OF THE CHILD IN THE KYRGYZ REPUBLIC

Issues to be taken up in connection with the consideration of the
initial report of Kyrgyzstan at the twenty-fourth session of the
Committee on the Rights of the Child

General measures of implementation
(Articles 4, 42 and 44, paragraph 6)

Question No. 1

The Kyrgyz Republic has adopted a new Penal Code and a new Code of Criminal Procedure, which include specific provisions concerning the criminal responsibility of minors and proceedings in matters relating to minors that are consistent with those of the Convention on the Rights of the Child. In 1999 Kyrgyzstan also passed an Act on the protection and defence of the rights of minors, which defines the legal status of minors and is intended to ensure their physical, moral and spiritual development and the creation of conditions for the realization of their rights, as well as to provide guarantees of their legal interests. It is, however, extremely rare for reference to be made in the courts and, in particular, in courts of first instance to the provisions of the Convention.

Question No. 2

There are bodies at all levels dealing with the problems of the family, women, children and young persons. The coordination and conduct of State policy in this respect have been entrusted to the State Commission for Family, Women's and Youth Affairs attached to the Government of the Kyrgyz Republic. The Commission's work covers children and young persons up to 29 years of age. An Act on the fundamental principles of State youth policy, which was passed in February 2000, defines the goals and organizational measures for the implementation of State policy on youth as an important component of State policies concerning the socio-economic, cultural and national development of the Kyrgyz Republic.

Commissions for minors have been set up in the Government and also in local executive bodies pursuant to the Act on local self-government and local public administration. These commissions have been entrusted with pooling and coordinating efforts by State bodies and social organizations to prevent child neglect and juvenile delinquency, to cater for children and

adolescents and protect their rights, to monitor conditions of detention and undertake remedial work with juveniles in Ministry of Internal Affairs institutions and special educational institutions, to provide assistance to the relevant health-care institutions in the identification and treatment of adolescents likely to consume alcohol or narcotics, and other tasks. The commissions for minors are concerned with children and adolescents up to the age of 18 years. Their powers are governed by the Regulations on Commissions for Minors approved by Government decision No. 893 of 27 December 1994, and by other legal instruments.

It should be noted that the Government and the newly-elected Parliament are considering the matter of setting up a unified structure for the intersectoral coordination of strategies and programmes relating to children. The possibility of establishing a national committee or commission is being discussed by the Government and in the Legislative Chamber of the Zhogorku Kenesh. A possible alternative would be to appoint an independent ombudsman or commissioner for the rights of the child.

The Government's Commission for Minors, the Ministry of Education, Science and Culture and other interested bodies are planning and carrying out monitoring of implementation of the Convention at the local level, as well as organizing training seminars, holding consultations and hearing reports from officials dealing with these matters. Work is being actively pursued in general-education schools and technical colleges to study the Convention. This includes conducting surveys among pupils and students, teachers and parents, showing television films, setting up exhibition stands dealing with the Convention and holding events such as "I and My Rights" and "The Convention and Us".

Responsibility for dealing with complaints of violations of child rights is entrusted by law to organs of the executive, the custodianship and guardianship bodies, procurators' offices and the courts.

Work on the collection and analysis of disaggregated data and on defining appropriate indicators for the design of policies and programmes affecting all children under 18 years of age is performed by the National Statistical Committee of the Kyrgyz Republic in close cooperation with other interested ministries and departments. The Committee is also seeking under a programme of cooperation with the UNICEF International Child Development Centre (ICDC) in Florence, to enhance its statistical capability.

The data collected and analysed concerning persons under 18 years of age have been used in the formulation of laws and guidelines reflecting State policy on the rights of the child and the family, including the provision of social assistance, comprehensive national programmes such as those mentioned in paragraph 30 of the initial report, the project for the development of the education sector planned with the Asian Development Bank, as well as other measures.

Question No. 3

Most of the work of making the principles and provisions of the Convention known to adults and children is being undertaken by the Government and its Commission for Minors, the Ministry of Education, Science and Culture, the Ministry of Internal Affairs, the Ministry of Health, the Office of the Procurator-General, the State Television and Radio Broadcasting Company, and other interested ministries and administrative agencies, as well as non-governmental organizations.

The Government has also created and is supporting an environment conducive to raising awareness of the Convention among local authorities, regional education departments, non-governmental and community-based organizations, public and independent television and radio companies, and youth and children's associations. Work is being carried on to disseminate information about the Convention in rural areas.

The text of the Convention has been supplied to all regions and to public and non-governmental structures for application in practice. In addition, continuing efforts to familiarize professionals working with or on behalf of children with the provisions of the Convention and the Act on the protection and defence of the rights of minors are being organized both nationwide and locally by the commissions for minors and by ministries and administrative agencies through study in academic institutions, at training seminars and also via the media and other information channels.

On the recommendation of the Government Commission for Minors, a regional seminar entitled "Protection of the rights of minors and prevention of juvenile delinquency" was, for example, held in the Issyk-Kul region on 29 March 2000. Similar seminars are also being organized in other parts of the Republic.

Question No. 4

In accordance with Government decision No. 793 of 4 December 1998 on the reinvestment of resource savings in the health-care sector, budgetary allocations for health care are not being reduced. Expenditure of 273,513,400 som from the republican budget was approved in 1999, and this was increased by 0.8 per cent during the year to 275,603,500 som; 275,230,900 som, or 99.8 per cent of the planned figure, were utilized. Local budget allocations for health care in 1999 amounted to 96.9 per cent of the revised plan or 106 per cent of the approved plan. Institutions for the treatment of children were assigned 23,503,500 som from the republican budget in 1999 (out of the total health-care allocation of 275,230,900 som) and 100 per cent of the planned amount was utilized. Humanitarian assistance in 1999 was provided through UNICEF and grants are now due to be provided by foreign Governments, including those of Japan and Germany.

The Ministry of Education, Science and Culture administers 37 children's institutions catering for orphans and children deprived of family support, as well as for children with mental or physical disabilities. Five children's homes and 14 specialized boarding schools with a total of more than 3,000 inmates were switched in 1996 to the republican budget to ensure timely and full funding. The republican budget currently finances 54 per cent of institutions of this kind, on a priority basis. In 1999, actual funding for children's homes represented 98.2 per cent of planned expenditures and that for special boarding schools was at the level of 98.8 per cent. In addition, the republican budget allocated 2 million som for summer recreation for orphan children, 4 million som for publication of a new generation of textbooks and 3 million som for the "Human resources of the twenty-first century" programme, while a total of 25 million som to ensure access to education and support for the socially most vulnerable categories were earmarked from the Education Fund of the President of the Republic. In all, Education Ministry expenditure for 2000 is expected to amount to 31,023,500 som and to be maintained at the 1999 level.

It should be pointed out that the minimum current expenditures on health care and education are covered by the State and they ensure basic standards for the functioning of these sectors. Nevertheless, because of the economic crisis, the Government is unable to undertake major capital investment for their maintenance and improvement.

General principles
(Articles 2, 3, 6 and 12 of the Convention)

Question No. 5

The Act on the protection and defence of the rights of minors provides that disabled children and physically and mentally retarded children have the right to receive a general and vocational education that is suited to their physical state and capacities and allows them to undertake work and creative activities in accordance with their abilities. The Republic has a specialized Children's Home for children with physical or mental disabilities with 90 places. A day centre catering for 10 disabled children was built here in 1999 at a cost of US\$ 33,000 with financial support from the Save the Children Fund (Denmark). Construction has begun of a rehabilitation centre with 20 places for disabled children at the Bishkek children's home at an estimated cost of US\$ 83,000. Funding has been provided by the above organization and building work is expected to be completed by 1 June to coincide with Children's Day.

The relevant services of the Ministry of Labour and Social Security each year make about 800 million som available for social welfare, which includes State allowances and benefits for disadvantaged persons, and additional support is given for extremely needy people from local budgets and humanitarian assistance. At present about 10 per cent of the population are in receipt of monthly benefits, approximately 90 per cent of them living in rural areas. Among recipients of State low-income allowances, children under the age of 16 years account for 97 per cent, students for 2.5 per cent and disabled persons for 0.2 per cent.

The National Council on Gender Policy was established by a presidential decree of 31 July 1998. Its tasks include:

- formulation of the State's gender policy;
- assistance in improving the socio-economic situation of disadvantaged women, especially those living in rural areas and remote districts;
- dissemination of the experience of women's NGOs.

A bill on gender equality is now being prepared.

Under the "Ayalzat" national programme, the State Commission on Family, Women's and Youth Affairs, as part of measures for the protection of the family and women and to reduce maternal and child mortality, has:

- formulated programmes for the infant food industry;

- organized leisure activities for under-14-year-olds, mothers with large families, orphans and disabled children;
- provided medical and psychological counselling and assistance for teenage girls;
- organized a medico-psychological study in the Jalal-Abad region and formulated a programme of gender education for future women;
- carried out programmes to ensure psychological preparation for family life, legal protection and the resolution of conflict situations for teenage girls;
- organized emergency psychological assistance for teenage girls via a “confidential telephone” service.

The State Agency for Migration and Demography set up by the Government in 1999 is responsible for registering, processing and granting refugee status to persons arriving from hot-spots in the Commonwealth of Independent States (CIS). Refugee status has now been granted to 5,346 persons under the age of 16 years. In accordance with the legislation of the Kyrgyz Republic, refugee children have the same rights as Kyrgyz children in respect of education, health care and the protection of child rights.

With financial support from the UNHCR office in Kyrgyzstan, six Sunday schools have been opened for Afghan refugees to provide teaching in their native language. By the beginning of the school year, they had been provided free of charge with school equipment, clothing and footwear.

With regard to street children and other children from vulnerable groups, please see the information contained in paragraph 68 of the initial report.

The Penal Code of the Kyrgyz Republic establishes criminal responsibility for bride-kidnapping.

The Government of the Kyrgyz Republic, together with social organizations and associations, is elaborating the State programme “Children of Kyrgyzstan”, which defines a strategy aimed at more effective application of the Convention with a view to ensuring the more sustained development of society. Work to improve the situation of the most vulnerable groups will be a priority.

Question No. 6

The child's right to freedom of expression is embodied in the Constitution and its provisions are developed in the Mass Media, Freedom of Religion and Religious Organizations, and Education Acts. The Act on the protection and defence of the rights of minors establishes the right to protection of the honour and dignity of every minor.

Discipline and order is maintained in institutions of learning and in pre-school and extramural establishments by measures of an educative nature based on mutual respect and justice that preclude any degrading or offensive treatment of children and adolescents. In Kyrgyz law, the guardianship and custodianship bodies are entitled to summon parents, guardians and other citizens to discuss and provide explanations on matters relating to the protection of the personal and property rights and interests of the persons in their charge; to examine complaints about the actions of a child's guardians; to address a court as plaintiff or respondent, as well as to act in the proceedings in defence of the rights and interests of the minor concerned; and to resolve disputes arising in connection with the upbringing of children by parents or persons acting in loco parentis. Children who have attained 10 years of age cannot be adopted without their consent. Such consent is verified by the custodianship and guardianship bodies.

One of the active forms of expression of children's views is their creative participation in the establishment of their own information media, especially in educational institutions. Exercising this right and the right to freedom of association, pupils of general education schools create associations for a variety of purposes, develop the scouts movement and environmental movements. An information and coordinating centre for the development of the children's movement has been established in the "Seitek" republican centre. An event devoted to the tenth anniversary of the Convention on the Rights of the Child, entitled "The Convention and Us", was held at the initiative of the Children's Academy of Civil Liberties.

A coalition of youth media has been formed with a view to promoting closer cooperation between the mass media and youth organizations, and regular interaction between young persons and key political figures in the field of policy making and implementation. One form of self-expression has been the establishment, with UNICEF participation, of a mobile youth

reporters group and their television magazine “Ulitka”. The first issue of the programme was devoted to the problems of rural youth and was filmed in the Naryn region. An agreement was reached with the State television and radio corporation and one private channel for Ulitka television programmes to be broadcast on a regular basis.

Civil rights and freedoms
(Articles 7, 8, 13-17 and 37 (a) of the Convention)

Question No. 7

Under the Marriage and Family Code, the registration of a child’s birth takes place at the civil registry office according to his or her place of birth or according to the place of residence of one or both parents upon application, which is done orally or in writing by the parent(s) or, in the event of their illness or death or inability for any other reason to make a statement, upon application by relatives, neighbours, the medical institution where the mother gave birth or by other persons. The birth may be registered upon presentation of an attestation from the health-care institution concerned (in exceptional cases, the fact of the child’s birth may be confirmed with the signatures of two witnesses); papers confirming the identity of the parents; a document which provides the basis for noting the particulars of the father and mother and recording the child’s birth. A system allowing for birth certificates to be issued by civil registry staff directly in maternity homes (two or three times a week) has been introduced for the timely registration of new-born children.

Pursuant to a Government decision on the “Healthy nation” programme for 1994-2000, the statistical bodies and health authorities make annual checks to ensure the full registration of births and deaths, including those of children below one year of age. Under the same programme, the State devotes attention to the construction of hospitals and maternity homes and their equipment with modern medical facilities. A total of 278 Feldscher/birth-attendant units were set up in 1998, and 22 in 1999, in rural areas.

Question No. 8

For information concerning the Kyrgyz Republic Citizenship Act, reference may be made to paragraphs 90 to 93 of the initial report. The Act does not give equal status to the mother and the father in respect of the determination of a child’s citizenship. Accordingly, on the basis of

the Convention on the Elimination of All Forms of Discrimination against Women, which has been ratified by Kyrgyzstan, the Ministry of Justice is now preparing a new Citizenship Bill, which will be consistent with the provisions of the Convention on the Rights of Child and other international instruments ratified by the Kyrgyz Republic.

Question No. 9

The Kyrgyz Republic guarantees legal protection of all the rights and freedoms of its citizens, including those of children, as laid down in the Constitution.

Under the Act on the protection and defence of the rights of minors and the Penal Code, physical or psychological abuse of minors, their enticement into criminal activity, alcoholism, begging, gambling, prostitution, consumption of narcotics or psychotropic substances to the detriment of their health, sexual intercourse and other acts of a sexual nature with a person under 16 years of age, acts of depravity against a person known to be under 14 years of age and entry into de facto marital relations with a person below the age for marriage are punishable offences.

The legislation further provides for a range of measures to prevent the corruption of minors, including statutory restrictions on the admission of children to video clubs or shops, and measures to prevent the importation of pornographic material and works glorifying violence and cruelty.

Where offences are committed by juveniles, their legal representatives must be involved in any proceedings brought. Counsel must also take part in proceedings in criminal cases to assure the defence of the juvenile, as stipulated by the Code of Criminal Procedure.

The Marriage and Family Code establishes the liability of parents or persons acting in loco parentis for ill-treatment, lack of care and abuse of their rights, which can lead to the deprivation of parental rights. If there is a direct threat to the life or health of a child, the child welfare authority may decide to remove the child forthwith. The lodging of complaints is governed by the Act on the procedure for considering proposals, applications and complaints by citizens. This does not envisage any restrictions on the possibility of a complaint being filed by a minor, either directly or through his or her representative. The minor may furthermore complain to the commission for minors (there are examples of this) or to the custodianship and guardianship authorities or the procurator's office. These bodies are entrusted with verifying protection of the child against violence, abuse or neglect.

The Kyrgyz Republic has several projects (“Street children”, “Violence and children”, etc.) which are being implemented with the “Ak-Zhol” (“Bright path”) temporary shelter for children and the Soros Foundation-Kyrgyzstan and centres for the recovery and rehabilitation of minors. The Ministry of Internal Affairs, the Ministry of Health and the Soros Foundation-Kyrgyzstan are holding regional seminars on “Prevention of child abuse”. Such seminars have already been held this year in Bishkek and in the Talas and Issyk-Kul regions.

Unfortunately, despite the measures taken, there are still cases of violation of the established standards for protection of children against physical and sexual abuse, this being directly connected with the lack of sufficient resources. The Kyrgyz Republic does not, therefore, have an effective system for the psychological and physical recovery and social reintegration of victims.

It should be pointed out that large-scale studies of cases of ill-treatment have not been conducted, but these are being planned jointly with UNICEF for 2000-2001. Recording and analysis of such cases is being undertaken by the internal affairs bodies, but information on these matters does not always reach the bodies concerned in a timely manner.

The network of social workers being established is designed to provide for the psychological and physical recovery of child victims of violence. The Ministry of Internal Affairs and, in particular, its staff training centre are, together with UNICEF, planning to hold training courses on children’s rights and their protection and on the prevention of violence against minors by law-enforcement personnel.

Family environment and alternative care

(Articles 5, 18 (1 and 2), 9-11, 27 (4), 20-21, 19, 39 and 25 of the Convention)

Question No. 10

Information on the relevant provisions of the Constitution and the Marriage and Family Code may be found in paragraphs 126 to 128 of the initial report.

A family reunification programme was initiated in 1999 jointly with the Save the Children Fund (United Kingdom). Children are abandoned by their parents mainly when they have congenital physical deficiencies. In this connection, more than 500 children underwent operations for developmental defects in 1998-1999. Casework is being pursued with the parents

of abandoned children. The Save the Children Fund is helping to operate a hotline, from which information about the abandonment of children can be received from maternity homes in the city of Bishkek. The child in question is placed under supervision, the reason for the abandonment is clarified and work is conducted to provide assistance to the family. In 1999 there were found to be 2,419 orphans and children left without parental support. In all, 1,683 children have been placed with guardians, or adopted, thereby ensuring their right to live in a family, and 293 children have been sent to children's homes and boarding schools.

The Republic has 9 orphanages and two children's homes attached to general-education schools in the Naryn region, 10 family-type homes raising more than 70 children and an SOS-Children's Village for 140 children. An alternative form of care is the foster family and a first experiment with this has been taking place in the Sokuluk district of the city of Osh. The number of children needing protection from the State is still considerably larger than the number of places in boarding institutions. Unfortunately, because of the difficult financial circumstances, standards for the upkeep of children are not always observed in children's institutions. However, the legislation provides for regular checks on the conditions of care and education of children in such institutions and in adoptive or foster families.

Question No. 11

Reference to the regulations on adoption may be found in paragraph 160 of the initial report. Responsibility for the centralized supervision of their implementation lies with the Ministry of Education, Science and Culture, while general oversight of enforcement of the legislation in these matters is the task of the procurators' offices.

With regard to family health, work is undertaken to ensure a healthy way of life by groups of family doctors. Prevention is the basic strategy in their endeavours.

The "children of Kyrgyzstan" programme now being formulated provides for various measures to prevent cases of abandonment of children by strengthening the family and working with parents through State structures and social workers, as well as providing encouragement and support from community-based and non-governmental organizations. Consideration is being given to appropriate amendments to the Marriage and Family Code to institute a mechanism for family placement of children left without parental support, short- and long-term fostering and practical measures to support the families of "problem children" and ensure the psychological recovery of the children and adolescents themselves.

Basic health and welfare
(Articles 6 (2), 23, 24, 26, 18 (3) and 27 (1-3) of the Convention)

Question No. 12

There has been a decline in the number of specialized schools and teaching for children with special needs against the background of the constantly rising numbers of pupils in ordinary schools. Whereas in 1992 the education system had 29 special boarding schools catering for a total of 4,785 retarded children, in 1999 there were only 18 catering for 2,800 children, i.e. a decrease of almost 40 per cent.

Despite the difficult financial and economic circumstances, the education system is looking for new flexible ways and means of ensuring access to education under market economy conditions. The principal new alternative forms of education and care for vulnerable groups include integrated teaching. The integration of children with special needs is a matter of concern to Kyrgyz society and gives rise to much discussion. For several years now we have been successfully developing forms of integration such as cooperating classes and special (inclusive) classes in ordinary general-education schools. Meanwhile, new ways of integrating disabled children into groups and classes with normally developing peers have been opened up through State and non-governmental education structures. We need to establish the conceptual bases and begin practical implementation of integrated learning, thereby providing equal conditions for children with special needs, and ensuring their socio-occupational adaptation and full integration into community life. The first steps have been taken in this direction in the Naryn and Chui regions and in the city of Bishkek with the support of UNESCO, UNICEF and the Save the Children Fund (United Kingdom).

Under the Education Act and the Government-approved regulations on user contributions to general education institutions, all pupils from socially disadvantaged segments of the population are provided with textbooks free of charge or at reduced rates. The Ministry of Labour and Social Security administers three homes for 400 mentally retarded children aged from 4 to 18 years. The State plans to make more than 10 million som available for the health care and upkeep of disabled children in the year 2000. In addition, humanitarian assistance totalling 427,000 som and taking the form of food products, medicines and clothing has been

allocated to homes and boarding schools. There are plans to open rehabilitation centres for disabled children in all regions. The city of Bishkek has a vocational training centre for disabled children and a centre for their social rehabilitation - the "Umut" (Hope) centre - which accommodates 52 children.

Question No. 13

Information concerning the relevant provisions of the National Health Care Act and other legislation is to be found in paragraphs 176 and 177 of the initial report.

In view of the difficult economic situation affecting health-care services, the Kyrgyz Republic is seeking international investment to improve the protection of children's health. World Bank credit facilities amounting to US\$ 18 million from 1996 to 2000 have made it possible to implement the "Healthcare 1" programme to reform the health-care system, including primary health-care services. Arrangements are now being made with the World Bank to finance the second phase of the programme in order to continue the reform. Primary health-care services for children are provided by groups of family doctors that total more than 800 in the Republic as a whole. By 2001 it is planned to introduce compulsory medical insurance for children's and maternity institutions and, as of 2000, to use foreign investment to improve medical services in such institutions.

With a view to reducing morbidity and mortality among children, a number of programmes have been implemented since 1995 jointly with UNICEF to introduce accessible and effective methods of treatment not requiring complex technology or major financial expenditure. These measures include:

- The programme to combat respiratory and diarrhoeal diseases among under-five-year-olds;
- The programme to encourage and support breastfeeding following the recommendations of WHO and UNICEF. At present, 80 per cent of maternity homes have switched to the new system, whereby mother and newborn child are kept together and 46 per cent of newborns are being exclusively breastfed;
- The programme for the prevention of iodine deficiency and iron deficiency conditions approved by Government decision No. 716 of 23 September 1994.

A key component in the implementation of the practices recommended by WHO is integrated management to address the five main causes of child mortality - ARI, diarrhoea, measles, malnutrition and infectious diseases.

The Meerim international charitable foundation is building a rehabilitation centre on the shore of lake Issyk-Kul for children with bronchopulmonary diseases and cardiological disorders. The DOTS strategy is being used to treat tuberculosis patients and a new method of birth management involving demedicalization, i.e. absence of active intervention and correction in the process of giving birth, is being introduced.

With its inclusion in the framework of United Nations statistical activities, the Kyrgyz Republic has converted to the use of infant mortality indicators following WHO criteria. As of early 2000 the system is being introduced in the Chui region and partly in the city of Bishkek. The application of international definitions of infant and child mortality is one of the steps in the reform of the health-care system taking account of international requirements.

Infant mortality in the first quarter of 2000 was 23.2 per cent, as against 20.1 per cent for the same period of 1999. The pattern of infant mortality is dominated by acute respiratory infections, including pneumonia (up to 42 per cent of all child deaths). In 1999 as compared with the previous year, there was a 3 per cent decrease in fatal ARI cases among under-one-year-olds. Maternal mortality per 100,000 live births was 28.3 (7 cases) in the first quarter of 2000, as against 41.3 (11 cases) in 1999. Counselling on diarrhoeal diseases among young children is being provided by two centres established at the Osh regional children's hospital and the Republican hospital for infectious diseases. The "Manas" project to reform the health-care system is meeting the requirement to enhance and expand medical services for women during pregnancy and in the postnatal period with the help of groups of family doctors. In rural areas these groups include a social welfare and family planning officer.

The 10 WHO principles on breastfeeding have been introduced in all institutions providing assistance with childbirth. Two health-care institutions are now internationally recognized as "baby friendly". With the application of a breastfeeding policy country-wide, the proportion of children being breastfed during the first four months of life has increased to 88 per cent.

An Act on the prevention of iodine deficiency disorders was passed this year and extensive measures to reduce such disorders are being organized. In the current year alone, for example, such measures were taken in the Jalal-Abad region and included the distribution to all

children of iodized oil purchased by UNICEF in Germany. Iron deficiency anaemia among pregnant women, nursing mothers and under-five-year-olds still remains a problem. This is particularly so among pregnant women in the southern and high-mountain regions of the Republic. Iron deficiency anaemia affects more than 60 per cent of under-five-year-olds and 80 per cent of nursing and pregnant women. Nutrition is one of the main factors influencing child morbidity. For more information on this subject, please refer to paragraphs 176 to 195 of the initial report.

In addition to the information concerning HIV/AIDS given in the report (see, in particular, paragraph 186), it may be noted that seminars and training sessions are organized regularly on this issue. In April 2000 a republican seminar was held for journalists, physicians and administrative staff with the assistance of UNDP, the Presidential Administration's Coordinating Commission on Reform of the Health-Care System and Medical Insurance and the Republican AIDS Association. Participants in the seminar received a wealth of information not only from professional physicians and government officials, but also from representatives of vulnerable groups - prostitutes, homosexuals, drug addicts - engaged in AIDS prevention programmes.

Forty-three cases of HIV infection have been recorded in Kyrgyzstan, 10 involving Kyrgyz citizens. Cases of gonorrhoea and syphilis, both acquired and congenital (up to 50 cases), are recorded each year among adolescents. Parliamentary hearings on State youth policy in 1999 took note of the epidemic situation regarding HIV/AIDS and STDs. Modules for "health lessons" and the preventive programmes "Alcohol", "Narcotics", "AIDS" and "Healthy way of life" have now been introduced in general education institutions.

The Ministry of Education, Science and Culture and the Ministry of Health have conducted sociological surveys as part of a UNFPA project to identify and assess the reproductive health needs of schoolchildren and have issued a manual for teachers at general-education schools entitled "Healthy way of life". Seventeen training seminars were held on this subject in 1999-2000. Pursuant to the presidential decree declaring 2000 as Youth and Education Year, the Ministry of Health has planned measures to improve and expand health-care services for reproductive health and conduct campaigns and other measures to combat AIDS among young people.

Question No. 14

An Act on drinking water was passed in 1999 and establishes the procedure for carrying out effective and systematic controls of water quality in order to meet health standards and regulations. Arrangements are now being made for the allocation of credits from the World Bank and the Asian Development Bank to maintain the water supply system in rural areas.

Under the Act on radiation safety of the Kyrgyz population, adopted in 1999, and Government decision No. 76 of 14 February 2000 concerning implementation of the Act, tighter controls are being placed on imports of radioactive materials, radiological surveys are being carried out and a detailed ground-based gamma survey is to be conducted in 2000-2001 at the tailings dumps and spoil heaps of former uranium plants located near human settlements to identify any anomalies or hazards. Work is also proceeding to develop State standards for radiation safety in accordance with ISO water quality standards.

Question No. 15

The 1998 Act on State benefits provides for social support targeting the most underprivileged segments of the population. Social support benefits are awarded on the basis of medical evidence without an assessment of the neediness of a family (unlike with the single monthly low-income benefit). Payments are made from republican budget funds. Those entitled to social support may be: disabled children, persons suffering from infantile cerebral palsy or HIV/AIDS, including children under 16 years of age; persons disabled since childhood; children in the event of loss of a breadwinner (with no entitlement to a pension); and mother-heroes (with no entitlement to a pension).

The social welfare authorities awarded social support benefits in 1999 to 35,000 individuals, i.e. 0.7 per cent of the total population. The recipients included more than 11,000 disabled children under the age of 16 and more than 2,000 persons suffering from infantile cerebral palsy. It should be noted that refugees and stateless persons are not entitled to social support under the new Act on State benefits.

At present, according to the statistical authorities, 62.1 per cent of the population are considered to be poor and 18.2 per cent extremely poor, and there are some 77,300 registered unemployed. The level of official unemployment (relative to the economically active population) was 3.2 per cent. The minimum consumer budget per capita is 1,208.46 som. Over the first three months of 2000, as compared with the same period of the previous year, the

minimum consumer budget increased by 23.8 per cent owing to rising food prices. The share of paid services in consumer spending during the first quarter of 2000 was 17.3 per cent, as against 18.4 per cent in the first quarter of the previous year.

Budget allocations for the social and cultural sphere represent more than 57 per cent of total expenditures (594.7 million som) and increased by 80 per cent compared with the corresponding period of the previous year. State expenditures on transfer payments to households (pensions, stipends, allowances, etc.) amounted to 5.8 per cent (60.4 million som).

Education, leisure and cultural activities
(Articles 28, 29 and 31)

Question No. 16

Limited financial resources are having an effect on access to education and on the quality of the education received by children. Some regional education bodies have been abolished and there has been a decrease in the number of schools providing teaching in one shift (375 or 19.3 per cent of all schools), as well as in the number of schools with extended-day arrangements (five in all) and extramural and pre-school institutions. For budgetary reasons, there have also been reductions (except in Bishkek) in the staff of educational bodies - child welfare inspectors, psychologists and others.

Present educational policy nevertheless involves an active search for alternative ways and means of developing the education system as a whole and, *inter alia*, of providing access to education for vulnerable groups of children. This policy addresses the need to preserve the positive results already achieved and at the same time reform the education system by introducing new approaches and technology in order to adapt to market conditions and integrate Kyrgyzstan within the world educational environment. These tasks are being accomplished through national programmes (“Bilim”, “Human resources for the twenty-first century”, “Araket”, “A healthy nation”, “Ayalzat” and “Zhetkinchek”) as well as through the programme to provide access to pre-school and basic education which is being implemented with the support of the Asian Development Bank and the programme on access to education for children with special needs undertaken within the framework of UNESCO.

The Republic has 1,953 general-education schools and 18 specialized schools and boarding institutions for children with developmental problems. They are teaching 1.1 million

pupils, which is 20,300 more than in the 1998/99 school year. The Ministry of Education, Science and Culture annually monitors the provision of equal access to basic education for children of school-going age, identifies any problems and formulates a strategy for action on this question.

At the beginning of the 1999/2000 school year, teaching did not cover 4,261 children and adolescents of school age, of whom 1,777 could not attend school for health reasons. Other reasons are financial difficulties, unwillingness to study, the fact that the parents do not allow their children to attend school, etc. Nevertheless, efforts to provide tuition for children of school age are being conducted at all levels. Work is actively being pursued to secure extrabudgetary funds for assistance targeting vulnerable groups of children. Such measures include the provision of school uniforms and materials, the issue of textbooks free of charge from school library stocks and the supply of food products from subsidiary farm holdings. Pupils in the “risk group” are exempted from payment of user contributions. Various programmes (“Zhetkinchek”, “Meerim”, etc.) made it possible to purchase footwear, clothing and writing materials in 1999. With the support of the Asian Development Bank, the “Zhetkinchek” programme provided assistance to 21,250 pupils from socially disadvantaged segments of the population, including pupils at children’s homes and orphanages.

The Republic has 468 permanent and temporary pre-school institutions. In order to improve access to pre-school education a “Mothers’ school” programme is being introduced at 14 experimental district facilities and, with intersectoral cooperation, includes mothers and children from socially disadvantaged segments of the population and addresses issues relating to education, social support and child welfare. Thirty-four schools catering for 6,059 pupils were built or restored in 1996-1999 under the State programme to deal with emergency situations and remedy the effects of natural disasters.

Special protection measures
(Articles 22, 30 and 32-40)

Question No. 17

For a discussion of the relevant legal provisions, please refer to paragraphs 241 to 258 of the initial report. A new provision concerns detention (arest) as a measure of punishment that is applicable to a minor who has reached the age of 16 years. The term of detention in such instances must not exceed three months (otherwise it is generally six months). Punishment under the current legislation can be applied to a minor only on the basis of an enforceable court

judgement and it is not intended to cause physical suffering or to be degrading. The fact of being a minor is a mitigating circumstance. Minors may be taken into custody only in exceptional cases. However, this rule of law is not always observed. In 1999, for example, 694 adolescents, or 40.7 per cent of the total number facing criminal charges, were placed in custody.

Under the regulations concerning aksakal courts approved by decree of the President of the Kyrgyz Republic, these judicial bodies are granted quite broad rights and powers. In particular, the aksakal courts are entitled to consider cases involving a failure by parents to meet their obligations concerning children's upbringing. These courts examine cases according to domicile and on the basis of information transmitted by organs or officials acting under the Code on Administrative Responsibility. The courts may in certain cases petition legal watchdog and judicial bodies on matters relating to protection of the rights and interests of juvenile suspects, accused persons and defendants.

The aksakal courts report on their work at least once a year to a general assembly of local citizens. Members of such courts may be dismissed before the end of their term of office by the general assembly. The courts' decisions may be appealed within 10 days to the appropriate district or municipal courts. Aksakal courts operate in each district and town of the Kyrgyz Republic.

Question No. 18

The Labour Code of the Kyrgyz Republic contains rules and establishes guarantees for the employment of adolescents. In particular, it is not permitted to conclude a contract of employment with persons under 16 years, but with the written permission of the parents or guardians a contract may be concluded with a person who has reached 14 years of age for the performance of light work that is not harmful to his or her health and development and does not interfere with the child's schooling. A contract with a person under 18 may be terminated only with the agreement of the State labour inspectorate and the commission for minors, and subject to the provision of subsequent employment. It should be pointed out that such contracts have not been concluded in recent years. Work is obtained in connection with training in vocational institutions and technical colleges and, as a rule, this is a learning experience of a temporary nature.

Child labour does, however, exist in family enterprises and in the informal sector (selling of newspapers, delivery of goods, etc.), i.e. in areas not covered by the labour legislation. Today there is an acute need for monitoring of child labour and for improvement of the legislation. The Ministry of Labour and Social Security is engaged in preparatory work for ratification of International Labour Organization Convention No. 182.

Question No. 19

The State programme on combating drug addiction and drug trafficking for 1998-2000 and the Act on narcotic drugs, psychotropic substances and precursor chemicals set forth a drug control strategy that covers both legal and illicit use of narcotics. The Penal Code makes it a punishable offence for minors to consume narcotic drugs or psychotropic substances. In order to improve interaction between their respective bodies in this matter, the Ministry of Internal Affairs and the Ministry of Health in 1997 issued a joint decree approving instructions that have helped somewhat to improve procedures for identifying and taking care of adolescents engaged in such activities.

Anti-drug measures include preventive checks in educational institutions, public information and awareness-raising activities and special seminars on adolescent psychology. Specialized medical help for children and adolescents on drug-related problems is provided by the National Narcological Centre and its regional counterparts, as well as by local adolescent drug counselling centres. In all, there are 314 beds for addicts, including 25 for minors, and 49 narcological offices staffed by 135 specialist doctors. The work of these institutions is aimed essentially at providing ambulatory care for adolescents and ensuring hospitalization in urgent cases where psychic disorders are observed.

The Ministry of Education has approved modules for health lessons, prevention programmes and lecture materials to assist teachers. A manual for parents, teachers, doctors and adolescents with drug problems has been approved for publication by the Council for the Dissemination of Medical and Health Information.

Rehabilitation work among adolescents at risk is being undertaken through centres for adolescents in the form of the “confidential telephone” and confidential youth counselling services, volunteer programmes, etc. Secondary schools Nos. 6, 10, 12, 15, 17, 23, 28 and 59 in Bishkek and Alumudun district school No. 1 are pilot schools for the international foundation Parents Against Drugs.

Matters relating to enforcement of the legislation to combat drunkenness and drug addiction among minors are regularly examined and discussed by the Government Commission for Minors (the most recent discussion having taken place at a meeting of the Commission on 6 January 2000). Preventive measures are included each year in the work plans of the ministries and departments concerned.

The drug situation in the Republic nevertheless remains complex. The range of drugs available has increased and there are now more cases of heroine than of hashish abuse (almost 70 per cent of all recorded cases). The number of persons, including youths, taking drugs has risen. At the beginning of 2000, the authorities counted 8 adolescent drug addicts and 113 adolescents taking narcotic substances occasionally. The level of drug-related crime is 0.03 per cent of the total number of recorded offences committed by juveniles.

Question No. 20

Kyrgyz legislation includes a range of measures to protect children from corruption. Criminal liability for sex offences has been increased. Cases of sexual and physical abuse are handled by the internal affairs and health authorities. The relevant ministries and the Soros Foundation-Kyrgyzstan organize seminars on the prevention of violence against children which include the question of public information and awareness-raising activities.

We consider that the measures indicated in the replies are not sufficient to comply with the Convention and other international standards (Beijing Rules, Riyadh Guidelines, etc.) and the Government will need to make a thorough study of the matter. It would like to change the current situation to meet international standards in such areas as education, health care and the administration of juvenile justice, but limited financial resources make it impossible to do so for the time being.
