

In 2017, the Kyrgyz Republic made a minimal advancement in efforts to eliminate the worst forms of child labor. The government adopted a National Action Plan to Combat Trafficking in Persons and launched a program that includes limited activities to address child labor. However, children in the Kyrgyz Republic engage in the worst forms of child labor in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in child labor in agriculture. The government's child trafficking laws are not in line with international standards, and research indicates that the State Inspectorate on Ecological and Technical Safety employed an insufficient number of labor inspectors. The compulsory education age also remained lower than the minimum age for work.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in the Kyrgyz Republic engage in the worst forms of child labor in commercial sexual exploitation, sometimes as a result of human trafficking. (1; 2; 3; 4; 5) Children also engage in child labor in agriculture. (6; 7; 8; 9; 10) Table 1 provides key indicators on children's work and education in the Kyrgyz Republic.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	33.9 (397,407)
Attending School (%)	5 to 14	86.5
Combining Work and School (%)	7 to 14	41.0
Primary Completion Rate (%)		105.5

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2018. (11)

Source for all other data: Understanding Children's Work Project's analysis of statistics from National Child Labour Survey, 2014. (12)

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

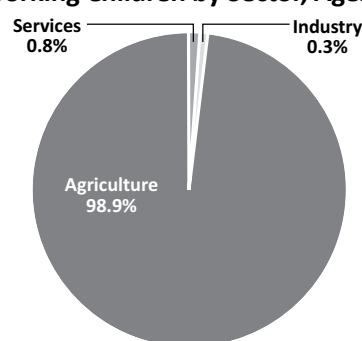
Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Cultivating cotton, tobacco,† rice, potatoes, sugar beets, and wheat (4; 6; 7; 8; 9; 13; 14; 10; 15) Raising cattle and sheep (4; 9; 13; 14; 15)
Industry	Coal mining† (4; 13; 14; 10; 16) Brick making (4; 13; 14) Construction, including lifting and portering construction materials, and cutting metal sheets for roofs (4; 14; 16; 17)
Services	Working in bazaars, including loading and unloading goods, portering, collecting plastic bottles and garbage, and selling items, including food and newspapers (1; 3; 6; 8; 10; 18; 19; 20) Washing cars (1; 8; 21) Working in restaurants and cafes, including serving food and washing dishes (6; 13; 22) Street work, including begging and shoe shining (1; 2; 13) Domestic work, including child care (2; 3; 7; 10)
Categorical Worst Forms of Child Labor‡	Forced labor in raising cattle and sheep, sometimes as a result of human trafficking (4; 10) Commercial sexual exploitation, sometimes as a result of human trafficking (1; 2; 3; 4; 5) Use in illicit activities, including trafficking drugs, as a result of human trafficking (23; 5)

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

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

Figure 1. Working Children by Sector, Ages 10-14



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Hazardous child labor is most prevalent in the *oblasts* (provinces) of Naryn and Osh. (16) There is limited evidence that some children migrate with their families to work in the cotton fields in Kazakhstan. (24) Some children left behind, after their parents migrate to work in Kazakhstan, Russia, or other areas of the country, do not have access to their birth certificates and guardianship documents that are required for school enrolment. As a result, these children cannot enroll in school and are vulnerable to the worst forms of child labor. (6; 13; 25) Some schools require residence registration, known as *propiska*, for enrollment, thereby hindering access to education; however, according to the Ministry of Education and Science, residence registration is not mandatory. (3; 4; 7; 21) Moreover, many children from the ethnic Lyuli, a group of approximately 3,500 Central Asian Roma people living in the Kyrgyz Republic, do not attend school and are vulnerable to child labor. (23; 26) Children with disabilities and those living and working on the street also have difficulty accessing education. (4; 19)

II. LEGAL FRAMEWORK FOR CHILD LABOR

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

Table 3. Ratification of International Conventions on Child Labor

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

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in the Kyrgyz Republic's legal framework to adequately protect children from the worst forms of child labor, including coverage of the law and comprehensive prohibition of child trafficking.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	16	Article 18 of the Labor Code (27)
Minimum Age for Hazardous Work	Yes	18	Article 294 of the Labor Code; Article 15 of the Code on Children (27; 28)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 294 of the Labor Code; Decree 314; Annex I of Decree 548 (27; 29; 30)
Prohibition of Forced Labor	Yes		Article 10 of the Labor Code; Article 15.2 of the Code on Children; Article 1 of the Law on Preventing and Combating Human Trafficking; Article 124 of the Criminal Code (27; 28; 31; 32)
Prohibition of Child Trafficking	No		Article 1 of the Law on Preventing and Combating Human Trafficking; Article 124 of the Criminal Code (31; 32)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 157 of the Criminal Code; Articles 5 and 15 of the Code on Children (28; 31)
Prohibition of Using Children in Illicit Activities	Yes		Articles 157, 247, 249, and 375 of the Criminal Code; Articles 5 and 15 of the Code on Children (28; 31)
Prohibition of Military Recruitment			
State Compulsory	Yes	18	Articles 17.1 and 22.1 of the Law on Military Service (33)
State Voluntary	Yes	18	Article 24.1 of the Law on Military Service (33)
Non-state	Yes	18	Articles 124, 226–2, 229, and 375 of the Criminal Code (31)
Compulsory Education Age	No	15‡	Article 16 of the Law on Education (34)
Free Public Education	Yes		Article 16 of the Law on Education (34)

‡ Age calculated based on available information

According to Article 6 of the Labor Code, protections, such as the minimum age of employment and prohibitions on hazardous work, are not extended to children engaged in non-contractual employment. (27) However, most incidences of child labor occur in employment relationships in which the child has not signed an employment contract with the employer. (6; 9)

The prohibitions against child trafficking are insufficient because they require threats, the use of force, or coercion to be established for the crime of child trafficking. (31; 32) The government drafted a revised list of hazardous work for children in 2011, which remained under review. (15; 35)

Children in the Kyrgyz Republic are required to attend school only until grade nine, which is typically when they reach age 14 or 15. (6; 7; 36) This standard makes children ages 14 and 15 vulnerable to child labor because they are not required to be in school, but they also are not yet legally permitted to work.

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the authority of the State Inspectorate on Ecological and Technical Safety that may hinder adequate enforcement of their child labor laws.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
State Inspectorate on Ecological and Technical Safety	Monitor work sites and refer child laborers to social services. Coordinate with the Inspectorate for Minors' Affairs in the Ministry of Internal Affairs, the Prosecutor General's Office, and regional State District Administration authorities to enforce child labor laws. (37)
Ministry of Internal Affairs, Inspectorate for Minors' Affairs	Enforce criminal laws related to child labor, including its worst forms; conduct independent inspections and joint raids with the State Inspectorate on Ecological and Technical Safety to find neglected or abused children; and refer children to social institutions for care. (37)
Prosecutor General's Office	Enforce and apply labor-related laws, including labor inspections and investigations of child labor violations, in coordination with the State Inspectorate on Ecological and Technical Safety. (37; 38)
Oblast Administration	Enforce child labor laws at the oblast (province) level. (37)
Ministry of Labor and Social Development	Serve as the key government agency for children's issues. Protect children and families in difficult living situations, including child laborers. (23) Coordinate with oblast-level authorities to investigate violations of child labor laws. (39)

Labor Law Enforcement

Research did not find information on whether labor law enforcement agencies in the Kyrgyz Republic took actions to combat child labor. However, gaps exist within the authority of the State Inspectorate on Ecological and Technical Safety that may hinder adequate labor law enforcement, including human resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2016	2017
Labor Inspectorate Funding	Unknown	Unknown (21)
Number of Labor Inspectors	23 (15)	Unknown (21)
Inspectorate Authorized to Assess Penalties	Yes (19)	Yes (19)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown	No (21)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	No (15)	No (21)
Number of Labor Inspections Conducted	Unknown (15)	Unknown (21)
Number Conducted at Worksites	Unknown (15)	Unknown (21)
Number of Child Labor Violations Found	31 (40)	Unknown (21)
Number of Child Labor Violations for Which Penalties were Imposed	Unknown (15)	Unknown (21)
Number of Child Labor Penalties Imposed that were Collected	Unknown (15)	Unknown (21)
Routine Inspections Conducted	Unknown (15)	Unknown (21)

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Table 6. Labor Law Enforcement Efforts Related to Child Labor (cont)

Overview of Labor Law Enforcement	2016	2017
Routine Inspections Targeted	Unknown (15)	Unknown (21)
Unannounced Inspections Permitted	Yes (41; 42)	Yes (42; 43)
Unannounced Inspections Conducted	Unknown	Unknown
Complaint Mechanism Exists	Yes (19)	Yes (19)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (44)	Yes (44)

In 2017, the number of labor inspectors was not known. (21) In 2016, however, the State Inspectorate on Ecological and Technical Safety employed 23 labor inspectors. (15) The number of labor inspectors is likely insufficient for the size of the Kyrgyz Republic's workforce, which includes over 2.8 million workers. (45) According to the ILO's technical advice of a ratio approaching 1 inspector for every 20,000 workers in transitioning economies, the Kyrgyz Republic should employ about 142 labor inspectors. (19; 46; 47) The State Inspectorate on Ecological and Technical Safety acknowledged that the number of labor inspectors was inadequate to ensure appropriate enforcement of child labor laws. (19)

Criminal Law Enforcement

In 2017, criminal law enforcement agencies in the Kyrgyz Republic took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including training for criminal investigators.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2016	2017
Training for Investigators		
Initial Training for New Employees	Unknown (15)	No (21)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	No (15)	Yes (48)
Number of Investigations	2 (40)	4‡ (48)
Number of Violations Found	2 (40)	Unknown (21)
Number of Prosecutions Initiated	2 (40)	0 (21)
Number of Convictions	0 (15)	0 (21)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (15)	Yes (21)

‡ Data are from January to September 2017.

In 2017, 97 judges, 77 prosecutors, and 33 police officers attended training sessions on countering human trafficking. (48) The government investigated four cases of human trafficking during the first 9 months of 2017; research was unable to determine whether these cases involved children. (48)

The UN special rapporteur on the sale of children, child sex trafficking, and child pornography documented allegations of law enforcement officials' complicity in human trafficking in a 2013 report; police officers allegedly threatened, extorted, and raped child sex trafficking victims. However, the government has neither investigated these allegations nor reported whether any government employees have been investigated, prosecuted, or convicted for human trafficking. (5)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established mechanisms to coordinate its efforts to address child labor (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role and Description
Coordination Council for Social Protection and Children's Rights	Develop policies to eliminate child labor. (35) Chaired by the Deputy Prime Minister, members include representatives from the Ministry of Labor and Social Development and three other ministries. (49; 50) Met quarterly in 2017. (21)
Coordination Council on Migration	Monitor and combat human trafficking as a key priority. Chaired by the Deputy Prime Minister for Social Issues, members include representatives from the Office of the President, government ministries, international organizations, and NGOs. (51) Met twice in 2017. (48)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including implementation.

Table 9. Key Policies Related to Child Labor†

Policy	Description
Interagency Action Plan on Measures to Prevent the Involvement of Children in the Worst Forms of Child Labor (2016–2018)	Aims to address the worst forms of child labor by identifying children at risk of child labor, including those in difficult living situations; providing social services; conducting awareness-raising campaigns, including seminars for social pedagogues and forums for children and their parents on hazardous work; sharing experiences and best practices with international organizations and NGOs; and creating a manual on child protection for labor inspectors. (15; 52) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.
Regulations on the Procedure for the Identification of Children and Families in Difficult Situations	Establishes the process for identifying children in difficult living situations, including those engaged in the worst forms of child labor. Receives complaints, conducts outreach activities, devises an individual action plan, removes the child from the worst forms of child labor, and provides financial and educational services. (44) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.
National Action Plan to Combat Trafficking in Persons (2017–2020)†	Improves legal framework on human trafficking; improves dissemination of information on human trafficking risks for migrants and vulnerable populations; raises awareness about protections for victims and criminal penalties for perpetrators; and improves coordination among government agencies, NGOs, and international partners. (53)

† Policy was approved during the reporting period.

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (37)

The government has not included child labor elimination and prevention strategies in the National Education Strategy and Roadmap on Out-of-School Children. (36; 54)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2017, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including implementation and adequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor†

Program	Description
Combating Child Labor in Central Asia –Commitment Becomes Action (PROACT CAR Phase III) (2010–2018)	\$4.57 million Government of Germany-funded project implemented by the ILO to mainstream child labor issues into national policies and legislation, build the capacity of stakeholders, and provide direct services to children withdrawn from the worst forms of child labor. (54; 55) In 2017, supported launching the Support of Family and Protection of Children for 2018–2028 program, finalizing the National Action Plan to Combat Trafficking in Persons, and signing the UN Development Assistance Framework. (56)
Evening Classes for Child Laborers†	Provides evening classes to secondary school students in districts with high numbers of child laborers. (57) In 2017, the Bishkek Mayor’s Office provided funding for the schools in Bishkek. (21)
Social Support for Children and Families in Difficult Living Situations†	Government-funded program to monitor places where children may be working, with a primary focus on bazaars, and to return these children to school. (39) Research did not find information about the number of children assisted in 2017.
Cash Transfer Program†	Cash transfer program for families living in difficult situations, including families with children engaged in child labor. (35) Research did not find information about the number of children assisted in 2017.
Ministry of Education and Science National School Attendance Database†	Ministry of Education and Science project to pilot a national electronic database to track children who do not attend school. Following development and use throughout the country, database information will be shared with the Ministry of Labor and Social Development to assist children engaged in child labor. (7) Will provide information to the Ministry of Internal Affairs on cases of criminal violations of child labor laws. In addition, social pedagogues will work with families to ensure that children attend school. (7) Research did not find information about the number of children assisted in 2017.

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

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (26; 58)

In August 2017, the government adopted a program entitled “Support of Family and Protection of Children for 2018–2028,” which includes limited activities to address child labor, including revising Decree 314, the hazardous work list for children;

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organizing competitive bids for projects, resulting in four new social services centers by 2020 for families and children in difficult living situations; and providing local administrations with income-generating ideas for families in difficult living situations. (59) Funding for this program will be provided through the existing budget for government agencies, plus international donors' funds when available. (59; 60)

Although the Kyrgyz Republic has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, particularly in commercial sexual exploitation as a result of human trafficking and in agriculture, including cultivating cotton.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in the Kyrgyz Republic (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law's minimum age provisions and hazardous work prohibitions apply to all children, including those working without an employment contract.	2014 – 2017
	Ensure that child trafficking laws do not require an element of force or deception and are in accordance with international standards.	2015 – 2017
	Increase the age for compulsory schooling to 16, the minimum age to work.	2014 – 2017
Enforcement	Publish information about the funding of the State Inspectorate; the number of inspectors; the number of labor inspections, including those conducted at worksites; the number of violations and penalties imposed and collected; information about whether inspections are routine or targeted; and the number of criminal violations found.	2011 – 2017
	Strengthen the labor inspection system by permitting and conducting unannounced inspections and by providing child labor training for labor inspectors and criminal investigators.	2014 – 2017
	Significantly increase the number of labor inspectors to meet the ILO's technical advice and provide inspectors with adequate training and resources to conduct inspections.	2012 – 2017
	Ensure that criminal law enforcement agencies investigate and prosecute violations related to the worst forms of child labor.	2015 – 2017
Government Policies	Implement the Interagency Action Plan on Measures to Prevent the Involvement of Children in the Worst Forms of Child Labor and the Regulations on the Procedure for the Identification of Children and Families in Difficult Living Situations.	2016 – 2017
	Integrate child labor elimination and prevention strategies into the National Education Strategy and the Roadmap on Out-of-School Children.	2015 – 2017
Social Programs	Ensure that all children have access to free education, including Lyuli children, children with disabilities, those living and working on the street, and those without birth certificates.	2009 – 2017
	Implement all social programs, including the Social Support for Children and Families in Difficult Living Situations, the Cash Transfer Program, and the Ministry of Education and Science National School Attendance Database.	2016 – 2017
Social Programs	Expand existing programs to address the scope of the child labor problem, particularly in commercial sexual exploitation as a result of human trafficking and in agriculture, including cultivating cotton.	2014 – 2017

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