

Kyrgyzstan
OSCE Human Dimension Implementation Meeting
20/09 - 21/09 in 2017, Warsaw, Poland.

Statement prepared by Communities Coalition Kyrgyzstan (Asteria, Ganesha, Harm Reduction Network Association, Labrys, Prosvet, Shah-Aiym and Tais Plus) to present
at the Working session 16: Tolerance and non-discrimination II
by Shah-Aiym Public Association

Gender inequality affects all - women, men and transgender people, and especially those groups and communities who often face intersecting forms of discrimination, violence and who are persecuted according to the legislation and via law enforcement practices. We are talking about LGBT people, sex workers, people who use drugs and people living with HIV.

Individual and consensual adult sex work is decriminalized in Kyrgyzstan, and despite that sex workers are subjected to violence by police and non-state actors. 485 cases of human rights violations and violence by police against sex workers were documented across Kyrgyzstan in 2016. So called *cleansing* against sex workers announced by police in mid of 2016 led to systemic discriminatory enforcement of Administrative Code towards sex workers. Even citizens were called to find sex workers, take pictures of them and pass these photos to police.

Police in Kyrgyzstan is being reformed during many years, and OSCE contribute in police support a lot, including the introduction of community-based policing principles. In the same time groups indicated here face with outrage and impunity of the police, including blackmail and threats of disclosing information to relatives about their kind of occupation, the fact of using drugs or HIV status, and also they face with human rights violations and torture while arresting or detaining.

Police arbitrary arrest people who use drugs, throw illegal substances to them, including heroin, require to give false accusations against their close surroundings, forces to take the responsibility for crimes they did not commit. And only very few people who use drugs submit the complaints to stand up for their rights. In case of arrest and detention people who use drugs and people living with HIV taking prescribed medicines - methadone or/and ARV therapy could face interruption in taking these medicines.

Women representing these communities are also subjected to blackmailing and threats by police and other state services to be deprived parental rights; they have no opportunity to seek medical care and protection in cases of violence by intimate partners because of shame and fear of additional violence by perpetrator. For example 61% out of women who use drugs in case of violence by intimate partner did not seek medical care, and only 6% went to police according to the research 2016.

Gender stereotyping contributes in existing atmosphere of hates and intolerance in the society which are translated and repeated by media. This aggravates living condition of LGBT people, sex workers, people who use drugs and people living with HIV. Portraits of these communities systematically are presented in media like threat to the society and traditional values, sources of crimes and HIV, and therefore they deserve isolation and persecution. It is silently approved by society that state should not spend time and resources to protect them in case these communities face with violence and human rights violations.

CEDAW Convention was ratified by Kyrgyzstan, and last CEDAW Committee Concluding Observations include among others call to State-party to adopt comprehensive anti-discrimination legislation, undertake actions to improve the condition of women with intersecting forms of discrimination, including (1) to ensure the access to non-discriminatory services, (2) to establish oversight mechanism to

monitor violence against sex workers by police and (3) to adopt temporary special measures to ensure equal rights and opportunities for women who face intersecting forms of discrimination.

Our recommendations:

1. OSCE: To include in curricula of training and programming on gender-based violence sections on impact and measures to undertake related to communities - LGBT people, sex workers, people who use drugs and people living with HIV.
2. OSCE: To include in community-based policing programs sections on upholding human rights and addressing disadvantage condition of LGBT people, sex workers, people who use drugs and people living with HIV.
3. OSCE: To continue supporting police reform to ensure turning police from a force into a service, respecting human rights by the police and rule of law