



# KYRGYZ REPUBLIC

## BACKGROUND

The only parliamentary democracy in Central Asia continues to consolidate its democratic system of governance and market economy after the instability that marked the early years of independence and the ethnic conflict in June 2010. The tensions in 2010 immediately preceded a successful referendum on a new Constitution, which increased the powers of the Parliament (the *Jogorku Kenesh*) and reduced the power of the President. Within this new framework, parliamentary elections were held in 2015 with the participation of 14 political parties, six of which gained seats. Overall, inter-

national observers found the election process to be open, transparent and conforming with national and international standards.

Establishment of democratic governance, including the fight against corruption, is high on the Government's priority agenda. The Public Sector Reform Roadmap<sup>1</sup> is the pillar of the strategic framework that is used to pursue governance related initiatives and reforms, with the country remaining committed to continuing the implementation of a number of priorities, including: anti-corruption, the financial mechanism of the judiciary, public finance management, civil service, public administration, energy and elec-

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<sup>1</sup> The Government's official approval of the Public Sector Reform Roadmap on 20 May 2014 meant that it superseded previous strategic documents.

tricity, and mining. Still, the establishment of democratic governance in the Kyrgyz Republic faces a number of challenges and problems, as is indicated by low scores on all Worldwide Governance Indicators.<sup>2</sup>

The Kyrgyz Republic is now entering a critical period for the country's governance and the need to strengthen public faith in the state institutions, fight corruption and uphold the rule of law remains, as well as the need to support peace, stability and sustainable development.

The Presidential elections scheduled for October 2017 will represent a milestone and an opportunity to take stock of the achieved progress, and direct the country towards a more prosperous future that is less impacted by instability and conflicts.

For this reason, it is crucial that institutions entrench democratic governance in order to show how an inclusive parliamentary system based on the rule of law can benefit all citizens, as well as strengthen the social contract. Additionally, in order to meet the targets under Sustainable Development Goal 16, significant efforts will have to be concentrated on continuing support for civil society and improving media freedom, both of which are key requirements for a peaceful, just and accountable state.

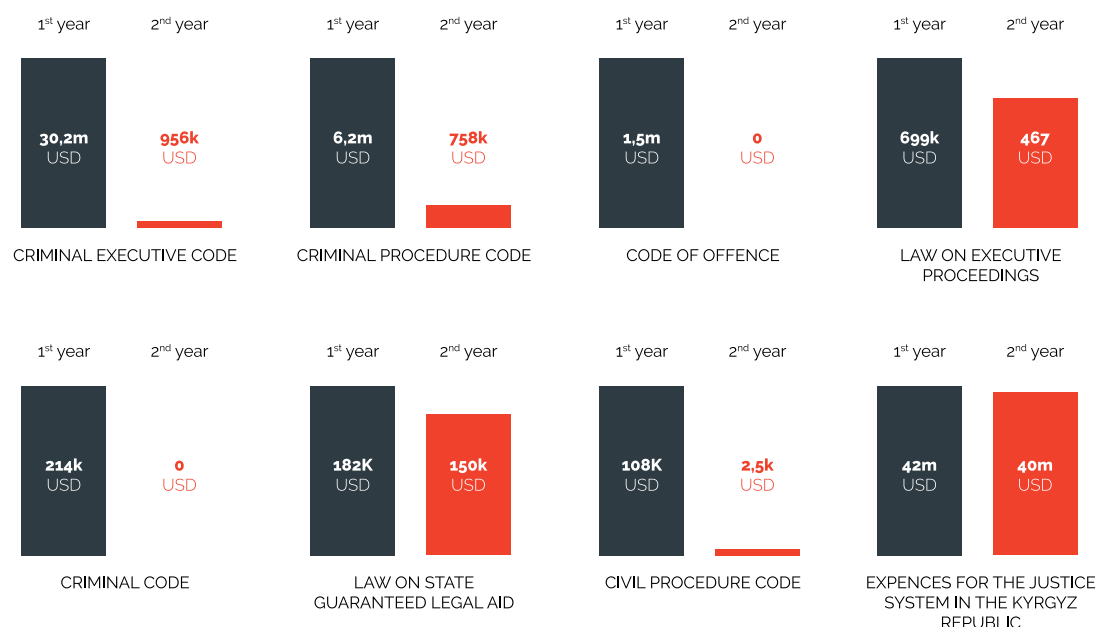
## ASSISTANCE AND IMPACT

With the parliamentary elections occurring in 2015, supporting a credible election was a key priority for UNDP. EMBs were assisted to automate voters' identification based on biometrics data, and provide voter education and outreach. State authorities, civil society and communities were supported in using risk management tools, including Electoral Risk Management, ensuring timely monitoring of the risks of conflict, as well as the development of recommendations for authorities to take preventive action. Increasing the inclusiveness of the election process was also a priority, with UNDP supporting a number of local women's and youth NGOs in advocating the positive image of women in decision-making roles. This programme facilitated meetings with approximately 40,000 people, and resulted in the establishment of a gender rating for the political parties, allowing voters to make a more informed choice.

In efforts to strengthen the rule of law, UNDP assisted the Parliament to draft a package of six new judicial reform laws,<sup>3</sup> that are largely in line with human rights standards. UNDP also assisted state authorities to prepare implementation plans and financial assessments for those laws, with civil society contributing to the establishment of formalized plans for cooperation between state authorities. Furthermore, support to the key democratic institutions of the parliament and Constitutional Chamber of the Supreme Court continued.

<sup>2</sup> The World Bank, "Worldwide Governance Indicators". Available from <http://info.worldbank.org/governance/wgi/index.aspx#countryReports> (accessed 4 October 2016)

<sup>3</sup> Criminal and Misdemeanor Codes, as well as laws on the Responsibility of Judges, Executing Proceedings, the Bar Association, and the Free Legal Aid Law

ESTIMATED COST OF THE JUDICIAL REFORM LAWS<sup>67</sup>

Source: British Embassy Bishkek and UNDP

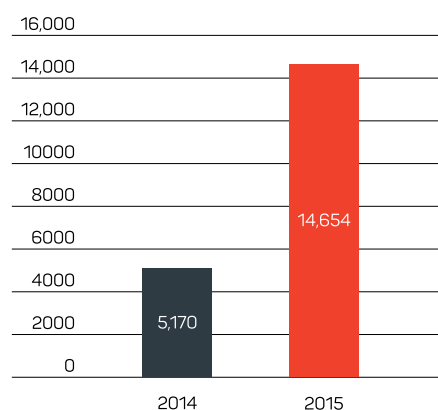
Complementing this, UNDP worked to enhance the capacity of free legal aid providers, selected municipalities and the State Registration Service to provide access to justice, legal identity and peaceful dispute resolution. As a result, the number of people who accessed legal aid almost tripled to 14,654 in 2015.

In addition to legal aid provision, UNDP helped improve delivery of a range of public and municipal services. This included elaborating standards for 196 public services, contributing to the implementation of a new e-Governance strategy, and encouraging several public institutions to open

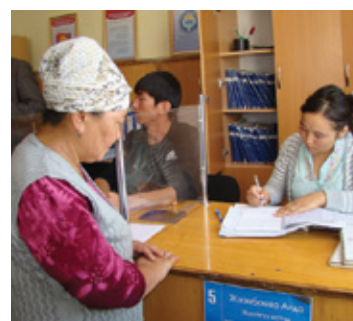
public datasets. On the latter, the establishment of an open data portal was a notable achievement, along with the development of user-friendly mobile applications to allow citizens to access the Central Data Bank of legal information maintained by the Ministry of Justice, a free database of more than 79,000 legal documents.

Creating a more inclusive political process, strengthening the rule of law and improving access to justice are seen as keys to reducing violence and tension, but this work was also complemented by a number of conflict prevention and peacebuilding projects. These projects targeted local governance, youth and women's empowerment, promoting peacebuilding efforts in the me-

## RECIPIENTS OF LEGAL AID 2014-15



Source: UNDP



A new model of public service delivery to people in rural areas – a woman receives assistance in a community service room

Photo by: Sharabidin Tairov/UNDP Kyrgyzstan

dia, and strengthening cross-border cooperation between the Kyrgyz Republic and Tajikistan. One notable achievement was the development of an action plan for religious policy, containing measures to promote religious tolerance and encourage dialogue at the national and local levels, with the aim of preventing religious radicalization and violent extremism. Complementing this, 11 youth action plans were drafted to target one of the key groups at risk of succumbing to extremism and participation in conflicts – vulnerable youth in disadvantaged and conflict-prone communities. These plans contain measures for bringing at-risk youth together and empowering them to address conflicts, social and economic issues in their communities.

The reconstruction and concreting of a cross-border water channel near Samarkandyk village benefits both Tajik and Kyrgyz communities in the area



Photo by: UNDP Kyrgyzstan

UNDP also established another monitoring mechanism to analyse the causes and effects of border conflicts between neighbouring communities of the Kyrgyz Republic and Tajikistan, and offer a response to prevent their reoccurrence. Promoting cross-border cooperation and trust with the aim of mitigating of tensions in cross-border areas contributed to a decrease in the number of border incidents at the Kyrgyz-Tajik border from 33 incidents in 2014 to merely 9 incidents in 2015.<sup>4</sup>

*“The Conflict Monitoring Centre will accumulate current information used by law enforcement bodies, which will be analysed by an expert group based on indicators. Currently, it is carrying out preliminary work with people and local self-governments in the regions, so that they are able to fill out simple questionnaires and organize discussions to identify areas of tensions in a certain area”*

– **Ms. Mira Karybaeva**, Head of the Department on Ethnic, Religious Policies and Civil Society Relations under the President’s Office

UNDP worked to promote dialogue and collaboration between the State Agency for Local Self-Governance and Inter-Ethnic Relations (GAMSUMO), local development committees, and communities in at-risk areas. This collaboration focused on conflict analysis and monitoring, inclusive planning of local development, and ensuring the inclusion of marginalized women, youth and minorities. This was complemented by the establishment of a UNDP-supported GAMSUMO Monitoring Centre for Interethnic Relations and 20 regional public reception centres. These centres help to improve monitoring of conflicts, mobilize officials at both local and national levels, and facilitate quicker responses to potential conflicts.

<sup>4</sup> UNDP, “Briefing Package – Kyrgyz Republic 2-7 May 2016”. Available from <https://undg.org/wp-content/uploads/2016/04/Briefing-Package-for-EB-Mission-to-Kyrgyz-Republic-28-April-2016.docx> (accessed 5 August 2016)

## Key results



*Six new judicial reform laws drafted with implementation and financial plans*



*People accessing legal aid tripled from 5,170 in 2014 to 14,654 in 2015*



*Elections to the Parliament held with increased transparency and credibility through the use of new ICT tools (biometric data)*

## CHALLENGES, LESSONS LEARNED AND THE WAY FORWARD

Despite the positive steps in 2015, significant challenges remain. Over 30 percent of the population lives below the poverty line,<sup>5</sup> while the high level of corruption present in the country was reflected by a score of 28/100 on the 2015 Corruption Perceptions Index.<sup>6</sup> In addition, recession and sluggish growth in the economies of major trading partners are weighing on economic growth, with GDP growth declining to 3.5 percent in 2015.<sup>7</sup> However, as a now full member of the Eurasian Economic Union, the free movement of goods, services and capital across borders is expected to boost trade and economic growth in the future.

Looking forward, UNDP will look to increase its support for legislative reform processes to strengthen the rule of law and the protection of human rights. Previous success has shown the importance of this support extending beyond the drafting stage to assist with the implementation of reforms. UNDP will also continue supporting state institutions and civil society networks to expand access to free legal for citizens and vulnerable populations.

With a focus on improving accountability and transparency, UNDP will increase support for the Parliament to encourage reforms and initiatives that open up decision-making processes to the public. These types of reforms should help not only to make the Parliament more responsive, but also to reduce corruption and encourage politically active citizens. This will be achieved in part through the provision of support to further institutionalize the role of Public Councils within government institutions, and to the Defence Council Secretariat to help identify and combat corruption in various sectors. Furthermore, ongoing support will be provided for voter education and outreach programmes, with a goal of reinforcing the positive changes in electoral system in 2015, and in anticipation of the 2017 presidential elections.

Peacebuilding will also continue be a priority with support provided to ease socio-economic and inter-ethnic tensions, build tolerance, promote reconciliation, and avert radicalization and marginalization. In particular, support for the flagship cross-border cooperation with Tajikistan peacebuilding programme will be increased, focusing on conflict monitoring, encouraging communication between communities, building local infrastructure and fostering local development in the most conflict-prone areas.

<sup>5</sup> The World Bank, "Kyrgyz Republic Data". Available from <http://data.worldbank.org/country/kyrgyz-republic> (accessed 14 June 2016)

<sup>6</sup> Transparency International, "Corruption by Country/Territory". Available from <https://www.transparency.org/country/#KGZ> (accessed 14 June 2016)

<sup>7</sup> Asian Development Bank, "Kyrgyz Republic: Economy". Available from <http://www.adb.org/countries/kyrgyz-republic/economy> (accessed 14 June 2016)

Finally, gender inequalities, particularly domestic violence against women and girls remains all too common. Despite a 2003 domestic violence law and a new stronger law in the process of being drafted, many barriers still prevent survivors

from accessing help or justice. Raising awareness of these issues and building capacity for an effective response will be an important step supported by UNDP.

